

Also, petition of New York State Retail Jewelers' Association, favoring Stephens standard-price bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of William S. Myers, relative to North America's need for Chilean nitrate; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Merchants' Association of New York, favoring pneumatic tubes in Postal Service; to the Committee on the Post Office and Post Roads.

Also, petition of men and women voters of Arizona and Nevada, favoring suffrage for women; to the Committee on the Judiciary.

Also, memorial of District Council of Greater New York, relative to wages of employees in Canal Zone; to the Committee on Appropriations.

By Mr. ELSTON: Petition of Samuel Smith and others, of Alameda County, Cal., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. EMERSON: Petition of citizens of Cleveland, Ohio, for impartial neutrality; to the Committee on Foreign Affairs.

Also, petition of citizens of the twenty-second district of Ohio, against war with Germany; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition of Albert Hendrickson and 23 others, of Alma Center and Hixton, Wis., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. FLYNN: Petition of Cotton Goods Export Association of New York and the Merchants Association of New York, against Clarke amendment to the Philippine bill; to the Committee on Insular Affairs.

Also, petition of Merchants' Association of New York, relative to pneumatic tubes in Postal Service; to the Committee on the Post Office and Post Roads.

Also, petition of Republican county committee, New York, favoring bill to pension aged employees of the Postal Service; to the Committee on the Post Office and Post Roads.

Also, petition of District Council of Greater New York, relative to wages of employees in the Canal Zone; to the Committee on Appropriations.

By Mr. FULLER: Petition of sundry citizens of Argyle, Ill., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of legislative committee of the E. R. Nota Club, of Streator, Ill., favoring House resolution 137, for Government inspection of dairies; to the Committee on Rules.

Also, petition of Rockford (Ill.) Central Labor Union, favoring House bill 8665, relative to regulating work of Government employees, etc.; to the Committee on Labor.

By Mr. GALLIVAN: Petition of Italian-American Citizens' Club of Massachusetts, against Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. GLYNN: Petition of H. A. Carrigan and sundry other citizens of Ansonia, Conn., favoring passage of House bill 8665; to the Committee on Labor.

By Mr. GOOD: Petition of First Presbyterian Church of Toledo, Iowa, against polygamy in the United States; to the Committee on the Judiciary.

Also, petition of citizens of Linn County, Iowa, against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. HUDDLESTON: Petition of T. G. Brobston and others, in re House bills 491, 6468, and 13778; to the Committee on the Post Office and Post Roads.

Also, petition of R. I. Keates and others, in re House bill 652; to the Committee on the District of Columbia.

Also, petition of R. I. Keates and others, in re House bill 6468; to the Committee on the Post Office and Post Roads.

By Mr. MORGAN of Oklahoma: Memorial of citizens of Tuttle, Okla., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Arapaho, Okla., favoring Federal motion-picture commission; to the Committee on Education.

Also, memorial of sundry citizens of Oklahoma, favoring national prohibition; to the Committee on the Judiciary.

By Mr. MORIN: Petition of Electrotype Molders and Finishers Union No. 17, of Washington, D. C., in favor of House bill 8664; to the Committee on Printing.

Also, petition of John Z. Speer, of Pittsburgh, Pa., in favor of adequate preparedness against foreign invasion of United States; to the Committee on Military Affairs.

Also, petition of Max I. Amdursky, Philip Gettman, William V. Fischer, C. V. Witt, William E. Heeren, Otto Heeren, T. A. Kinman, Edward Schuck, Richard F. Krumm, John Logiodice, and K. F. Stahl, all of Pittsburgh, Pa., opposed to United States

becoming embroiled in European war; to the Committee on Foreign Affairs.

By Mr. NORTH: Memorial of D. B. McCreary, of Saltsburg, Pa., favoring a tax on all exportation of gasoline; to the Committee on Ways and Means.

By Mr. PRATT: Petition of Casper G. Decker, of Elmira, N. Y., favoring appropriation of \$250,000 for Government schools for Sioux Indian children, and also favoring military preparedness; to the Committee on Military Affairs.

Also, petition of William H. Bilbrough, of Elmira, N. Y., favoring a large body of citizen soldiery, as embodied in section 56 of the Chamberlain military bill; to the Committee on Military Affairs.

Also, petition of Charles Gaiss, Henry Otto Hauptmann, Joseph Sidoti, David Wasson, John C. Meyer, J. W. Eyesenberger, Rudolph Buckinger, Valentine Remmel, Cassius G. Andrew, Ed. Kelce, G. J. Seibel, Otto F. Vollgraf, Edward Palmer, Jr., Valentine Rettig, W. Campbell, Miles T. Terrill, F. J. Bantley, William W. Arland, John N. Illig, Frank K. Gaiss, John S. Edminster, M. L. Russ, and Joseph Eck, all of Corning, N. Y.; E. E. Rogers and H. J. Swartwood, of Painted Post, N. Y.; and W. A. Caveney, Fred G. Johnson, F. A. Abbey, A. Hohl, and Leonard R. Bell, all of Brookton, N. Y., in favor of peace; to the Committee on Foreign Affairs.

Also, petition of H. C. Rietmann, F. I. Lyons, P. G. Schug, William J. Finnegan, John Hammerstrom, N. H. Cooper, Grant Nelson, L. H. Brunt, and John J. Henley, all of Elmira, N. Y., favoring House bill 8665; to the Committee on Labor.

By Mr. RANDALL: Petition of sundry citizens and organizations of California, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ROWE: Memorial of Andrew Jackson Democratic Club, of Brooklyn, N. Y., favoring the Penrose and Griffin bills; to the Committee on the Post Office and Post Roads.

Also, memorial of committee on military lectures, in re preparedness; to the Committee on Military Affairs.

Also, petition of sundry citizens of Brooklyn, N. Y., indorsing the Stevens standard-price bill; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Clifton Motor Works, of Cincinnati, Ohio, in re House bill 9411; to the Committee on the Merchant Marine and Fisheries.

By Mr. SANFORD: Papers to accompany House bill 14936, for the relief of Lawrence Collois; to the Committee on Claims.

By Mr. SULLOWAY: Petition of sundry citizens and organizations of the State of New Hampshire, favoring national prohibition; to the Committee on the Judiciary.

By Mr. TIMBERLAKE: Petition of residents of Boulder County, Colo., protesting against the passage of House bill 652, to provide for the Sunday closing of barber shops in the District of Columbia; to the Committee on the District of Columbia.

SENATE.

THURSDAY, April 27, 1916.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee amid the abounding light of this springtime. Open our hearts to Thee for the more abounding light of Thy grace. We remember the fruit of the spirit that is righteousness, joy, and peace. We pray that all of the fullness of Thy spirit may be revealed in us, that we may have all the qualities that will impart and maintain the diviner and higher life among men. Guide us this day. Through us do Thou fulfill Thy purpose in this great Nation. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the chief clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions filed by the court in the following causes:

Almeron E. Calkins *v.* The United States (S. Doc. No. 417);
Henry T. Whitaker *v.* The United States (S. Doc. No. 418);
and

Claude L. Holt, son and sole heir of Lucius E. B. Holt, deceased, *v.* The United States (S. Doc. No. 419).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. BRADY. I present resolutions adopted by the Chamber of Commerce of Coeur d'Alene, Idaho, regarding arbitration of

the railway strike in the Northwest. I ask that the resolutions may be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the resolutions were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

CHAMBER OF COMMERCE,
COEUR D'ALENE, IDAHO.

Resolution regarding arbitration between railroads and their employees adopted by Coeur d'Alene Chamber of Commerce, April 17, 1916.

Whereas the public of the Pacific Northwest will suffer great inconvenience and disastrous effect will fall upon the lumber, mining, grain, and other industries in the event of interruption of public service by a general strike, such as is threatened by the railway trainmen's organization; and

Whereas the Chamber of Commerce of the United States has taken action looking to an adjustment by arbitration of the issues in controversy; Therefore be it

Resolved by the Coeur d'Alene Chamber of Commerce, That in the interest of public convenience and the welfare of the Pacific Northwest industries, we urge that both parties to the controversy adjust their difficulties without recourse to extreme measures that will suspend the public service; and be it

Resolved, That we commend the effort of the Chamber of Commerce of the United States to indorse arbitration, and the attitude of the railway managers in signifying their willingness to submit to arbitration; and be it

Resolved, That the secretary of the Coeur d'Alene Chamber of Commerce be, and is hereby directed, to communicate this resolution to the Chamber of Commerce of the United States.

H. A. SAMPSON, *President*.

Approved:

C. L. DITTEMORE, *Secretary*.

Mr. BRADY presented petitions of sundry citizens of Idaho, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. SMITH of South Carolina presented petitions of sundry citizens of South Carolina, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. SAULSBURY presented a petition of sundry citizens of Harrington, Del., praying for prohibition in the District of Columbia, which was ordered to lie on the table.

Mr. STERLING presented petitions of sundry citizens of South Dakota, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. WARREN presented a petition of Major Frank M. Foots Camp, No. 3, United Spanish War Veterans, of Wyoming, praying for the enactment of legislation to grant pensions to widows and orphans of veterans of the Spanish-American War, which was ordered to lie on the table.

Mr. PHELAN presented a memorial of sundry citizens of Oakland, Cal., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

He also presented a petition of Local Union No. 389, International Longshoremen's Association, of San Diego, Cal., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

He also presented a petition of the Juvenile Protective Association of Los Angeles, Cal., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was ordered to lie on the table.

Mr. JOHNSON of Maine presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. DU PONT presented a petition of sundry citizens of Harrington, Del., praying for prohibition in the District of Columbia, which was ordered to lie on the table.

Mr. TOWNSEND presented petitions of sundry citizens of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Battle Creek, Mich., remonstrating against the proposed creation of a juvenile court in the District of Columbia, which was ordered to lie on the table.

He also presented memorials of sundry citizens of Battle Creek, Mich., remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Colonel H. C. Gilbert Camp, No. 50, Sons of Veterans, of Coldwater, Mich., praying for an increase in armaments, which was ordered to lie on the table.

Mr. ROBINSON presented memorials of sundry citizens of Arkansas, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of De Queen, Ark., praying for the enactment of legislation to improve the Rural Delivery Service, which was referred to the Committee on Post Offices and Post Roads.

Mr. PITTMAN. I present a petition of the Civic League of Reno, Nev., favoring the adoption of the Susan B. Anthony woman-suffrage amendment. I ask that the petition may be printed in the RECORD.

There being no objection, the petition was ordered to lie on the table and to be printed in the RECORD, as follows:

Resolution adopted by Reno Women's Civic League, April 18, 1916.

Whereas we, as women voters of Nevada, realize the injustice done to the women of the Nation, to whom political rights are denied, and the necessity that this wrong should be righted by the Nation in the quickest possible way: Therefore be it

Resolved, That we, the members of the Reno Civic League, at a meeting held at Reno on Tuesday, April 18, call upon the Judiciary Committee of the House for an immediate and favorable report of the Susan B. Anthony amendment, and urge Congress to submit the same to the States during the present session: And be it further

Resolved, That the secretary of the meeting be instructed to send a copy of this resolution to the President of the United States; Senator KERN, the majority leader of the Senate; and Senator GALLINGER, the minority leader; Hon. CHAMP CLARK, the Speaker of the House; Hon. CLAUDE KIRCHIN, majority leader of the House; Hon. JAMES MANN, minority leader; to every member of the House Judiciary Committee; and our Representatives in Congress.

MINNIE FLANIGAN, *President*.
BESSIE MOUFEE, *Secretary*.

Mr. BURLEIGH presented a petition of the Central Labor Union of Portland, Me., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was ordered to lie on the table.

ACTIVITIES OF AMERICAN EMBARGO CONFERENCE.

Mr. HUSTING. Mr. President, I have here some letters and some telegrams sent to me which I think might be of interest to the Senate and to the people. I first want to offer about a thousand letters which I received some time in February and ask to have the Secretary read one of them. They are all identical. The VICE PRESIDENT. Is there any objection?

Mr. SMOOT. What is the request?

The VICE PRESIDENT. To read one. The Chair hears no objection, and the Secretary will read.

The Secretary read as follows:

MONTELO, WIS., February 14, 1916.

HON. PAUL O. HUSTING,
United States Senator, Washington, D. C.

DEAR SIR: As a citizen of the State of Wisconsin, I am addressing this appeal to you, as my representative in the upper House of Congress, to support the resolution placing an embargo upon the further shipment of arms and ammunition to the belligerent nations of Europe.

I note in the public prints that you are pointing to the speech delivered by United States Senator REED on January 10 and that you are quoted as writing to your constituents that the position he (Senator REED) takes on the question of an embargo "expresses" your sentiment in the matter and that the arguments he advances appear to you to be unanswerable.

May I call your attention to the editorial printed in the Milwaukee Free Press Wednesday morning, January 12, and may I take the liberty of asking you to point out to me where the Free Press and not Senator REED is in the wrong?

May I also ask, as the Free Press asks, why Senator REED did not point out that the Wilson administration had all along the weapon with which to bring Great Britain to time—the threat of an embargo on arms and ammunition?

May I also call your attention to the fact that Senator REED is reported as saying in his Milwaukee speech that "unless England makes reparation for confiscation of American goods" and unless this "will have effect within 60 days" he will be one of the first to vote for an embargo, and may I ask if you are joining with Senator REED in voicing this declaration?

I would point out to you that the large majority of the Wisconsin congressional delegation is in favor of the embargo resolution. Senator LA FOLLETTE is for it and Congressmen CARY, BROWNE, STAFFORD, BURKE, ESCH, KONOP, and COOPER are reported for it, and I feel that these men are convinced that their constituents want an embargo, and with this the situation in our State, I repeat my request that you give the embargo resolution your support.

I am very earnest in making this plea to you and ask that you be good enough to favor me with a reply. If you will do so I would like to have you give me some facts supporting your stand against the embargo other than your general reference to general statements that may have appeared in the newspapers.

Thanking you for an early reply, I am,

Very truly, yours,

GUSTAV WESELOB.

Mr. HUSTING. Mr. President, I also received in due course of mail a letter which I hold in my hand not addressed to me but evidently sent to me by some one whose name appears in the left-hand corner. I should like to have the Secretary read it, omitting the name in the left-hand corner.

ALL READY FOR THE SIGNATURE.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

THE AMERICAN EMBARGO CONFERENCE,

139 North Clark Street, Chicago, February 9, 1916.

DEAR SIR: Taking the liberty of assuming that you are heartily in favor of any move that might hasten the end of the war and the slaughter of humans in Europe, and that therefore you are in favor of the movement to have an embargo declared upon the further shipment of arms and ammunition to any of the belligerents, we are taking the liberty of writing to you and asking whether you will join with us in the effort being made to induce United States Senator PAUL O. HUSTING,

of your State, to join with practically all of the other members of the Wisconsin congressional delegation in their work to bring about such an embargo.

Believing that you feel with the hundreds of thousands of our members that the United States should at least have no hand in the war, and should not be reaping a harvest of blood-stained money, and that you stand for a real and genuine neutrality for this Nation, we are sending you with this letter some letters addressed to Senator HUSTING.

These letters are ready to be dated and signed and then should be placed in separate envelopes and mailed as personal letters to Hon. PAUL O. HUSTING, United States Senator, Washington, D. C.

We would be glad if you were able to get some of the voters to write personal letters, but the big thing is to have all letters possible sent to Mr. HUSTING at the earliest possible moment.

If you think it would be a better plan to have all of the letters signed and then left with you and you would then have them forwarded in separate envelopes to Senator HUSTING, we would consider this a very great assistance on your part and would be very glad to reimburse you for the postage and envelopes.

We sincerely hope that you are with this effort to secure the embargo and that you will do all in your power to aid the movement. If you could use more of the letters, please let us know, and we will forward you as many as you think you can have signed. We are sending you a circular letter showing you the latest developments in the campaign.

Will you please be good enough to let us know just what assistance in this manner you can give us?

Thanking you for giving this your attention, we are, with best wishes,

Very sincerely, yours,

THE AMERICAN EMBARGO CONFERENCE,
WILL R. MACDONALD, Secretary.

Mr. HUSTING. Mr. President, I received these letters in February, and also this one. I did not then appreciate the full significance of it. I did not believe, or at least I thought it would not be advisable for me to bring it to the attention of the Senate. I thought perhaps that the matter might die out; that there was no need of stirring up the undertow of our foreign relations with another country. I understood it was the policy not to discuss these matters. I am in hearty accord with that policy; but, in connection with what has been happening recently and is happening now, I consider it quite relevant now to discuss the matter, especially because of this telegraphic campaign that is now being carried on in opposition to the Government's position.

In this letter it will be noticed there are several things which are quite significant, especially that part calling on the Wisconsin Senator to make him line up and work with the rest of the Wisconsin delegation; and it shows that that campaign was carried out with some thoroughness, because I have had about 1,000 identical letters sent to me. These letters are printed with my address on them. They are all identical. There is no difference between them, even to the crossing of a "t" or the dotting of an "i." The date and the place of signature are left blank, but aside from that the letter is absolutely complete, and the purpose is quite clearly stated in this letter; that is, to get me to line up with the rest of Wisconsin's representatives.

This emanated from Chicago, not from Wisconsin; and thus these thousand letters were placed in the hands of Wisconsin citizens for them to express, not their own sentiments, but the sentiments of some bureau or bureau clerk in Chicago, and back of him the person or institution or influence fomenting the propaganda and paying the bills.

Further he states as follows:

These letters are ready to be dated and signed, and then should be placed in separate envelopes and mailed as personal letters to Hon. PAUL O. HUSTING, United States Senator, Washington, D. C., designating them as "personal letters."

It shows the intention to deceive the representative from Wisconsin in the belief that he was getting the personal sentiments of Wisconsin citizens.

I must confess that they were not paying their representative a very good compliment when they thought he would be deceived into the belief that they were personal letters, because these thousand letters were all printed on the same paper, with the same contents, and with the same appearance, and sent in envelopes duly stamped and which were identical in appearance and substance. The clerks in my office knew the contents before they ever opened them by the appearance of the envelopes; but at least the intent was there to deceive.

Now, they also

urged you to get some of your neighbors to write personal letters to the Senator, but the big thing is to have all the letters sent to Mr. HUSTING at the earliest possible moment.

At that time there was a good deal of talk about an embargo. I think it was about the time when the embargo petitions were exhibited here in the Senate, and it was considered to be a good time to influence and overwhelm a representative of Wisconsin. Now, they make a further suggestion:

If you think it would be a better plan to have all of the letters signed and then left with you, and you would then have them forwarded in separate envelopes to Senator HUSTING, we would consider this a very great assistance on your part, and would be very glad to reimburse you for the postage and envelopes.

All they wanted was to have our citizens express the sentiments of the propagandists, and they were willing to pay the

bills! All they asked of the citizens of Wisconsin was their cooperation in attempting to deceive their Senator!

The supply of letters was inexhaustible. As you will observe from the letter, they agree to send as many more as their correspondents might be able to secure signatures for. The supply was equal to the number of all citizens who were willing to put their hand down to a manufactured letter which they could sign and put it into an envelope which had already been addressed and with a stamp that had already been paid for.

Here is more that is significant:

We are sending you a circular letter showing you the latest developments in the campaign.

What campaign? The campaign of the American Embargo Conference and those back of that conference, a campaign of intimidation, a campaign to influence a representative of the people of the United States to vote against his own convictions!

THE SUBSIDIZED TELEGRAMS.

Now, as I said, these letters date back as far as February. I did not think it worth while to bring that to the attention of the Senate then, but some things are now occurring which come from the same malevolent source as the letters, which bear the same label, are of the same handiwork, initiated by the same influences, paid by the same money.

I have been favored with a great many telegrams from constituents in Wisconsin, and when I know that those telegrams are sent in good faith and are an honest expression of an honest opinion I think they are entitled to a great deal of respect and consideration. This is a country where everyone has a right not only to believe but to express his personal belief and to petition Congress at all times. But I began to receive these telegrams in such numbers and found such striking similarity between them, notwithstanding identical dates and from places far distant from one another, that I took the trouble to have my secretary inspect telegrams of other Senators. I took the liberty of having my secretary examine hundreds of telegrams received by Senators all over the United States, and there have been plenty of them introduced here, and I found this to be the fact, that telegrams emanating from places thousands of miles apart and dated on the same day were identical in form even to repeating an error which I found in the telegraphic forms which I shall hereafter show you.

These were dated April 24 from States like Wisconsin, and, for that matter, from many points in Wisconsin, 200 or 300 miles apart, from Illinois, from Missouri, from Indiana, from New York, from Ohio, are not only similar in character but absolutely identical word for word, and as I have said before, repeating grammatical errors in the original form. I have assorted these telegrams and have taken them from the above-named States and find them in the various forms in identical terms. I have them here, and for the purpose of not confusing them I have numbered them. Here is No. 1. It comes from Norwalk, Wis., dated April 25, addressed to "Hon. PAUL O. HUSTING, House of Representatives, Washington, D. C.":

[Telegram No. 1.]

Your constituents urge and expect you to stand like a rock against the passing frenzy of insane and criminal folly on the part of the small portion of interested persons who are clamoring for war. We want peace. Nothing warrants any other action.

Apparently a spontaneous conviction passing into the mind of some constituent, and, in the absence of any proof to the contrary, it would naturally indicate his own sentiments. But here we have one from Fond du Lac, bearing the same date, saying:

Your constituents urge and expect you to stand like a rock against the passing frenzy of insane and criminal folly on the part of the small portion of interested persons who are clamoring for war. We want peace. Nothing warrants any other action.

Here is one from another part of the State to the same effect.

I will read some a little later.

Here is No. 2, from West Salem, Wis.:

[Telegram No. 2.]

Will you let me reassure you that the great majority of your constituents stand for peace, believe war now unnecessary and uncalled for, and will resent being participated into the European conflict?

Here is one from Fond du Lac, same date, 250 miles away:

Will you let me reassure you that the great majority of your constituents stand for peace, believe war now unnecessary and uncalled for, and will resent being participated into the European conflict?

Here are two others with the word "participated," repeating the mistake of the man who sat in his office in Chicago and made a slip over the typewriter or did not know how to spell "precipitated."

Here is No. 3:

As to-day's reports indicate that this country is likely to be rushed into the European war, let me assure you that I and your constituents who will be the real sufferers will bitterly resent anything but calm action, and calm action means peace continuing.

That was on April 25. Here is one from St. Louis, dated April 25, which I shall read—telegram No. 3:

As to-day's reports indicate that this country is likely to be rushed into the European war, let me assure you that I and your constituents will be the real sufferers, and will bitterly resent anything but calm action, and calm action means peace continuing.

St. Louis and Wisconsin! Fond du Lac and Missouri!

Here is No. 4: I want to call your attention to it. I will read these telegrams, because of all of the telegrams coming from most small towns no two are alike. They did not give the same telegram to the same man in the same small town, but had a collection of telegrams, and gave each one to a different man in the same town, of course, so that their representatives could not discover that there was any concerted action there; but to make it appear that these telegrams were a spontaneous expression of something that had just occurred to each separately because of recent events. Before I get through I want to show the Senate how these things were provided and arranged for. Now, here is another:

Other constituents of yours join with me in informing you that we believe the great masses of the people resent being dragged into war, that we must consider unnecessary. We appeal to you to lift your voice in opposing steps leading to war.

Here is another from another State far away:

Other constituents of yours join with me in informing you that we believe the great masses of the people resent being dragged into war, that we must consider unnecessary. We appeal to you to lift your voice in opposing steps leading to war.

Here is form No. 5 from Milwaukee; here is one from Fond du Lac; here is another one from a State far away, in identical language:

Your constituents joining with me in sending this message are deeply alarmed by rumors that this country is near to being plunged into the European war. You know your constituents want peace, and we emphatically urge that you so express our sentiments. We know we can depend upon you.

That is from Kewaunee; another one from Fond du Lac; one from St. Nazianz; one from Wausau; one from Ripon, Wis., and one from Illinois and several from other States. I will just read one:

Your constituents joining with me in sending this message are deeply alarmed by rumors that this country is near to being precipitated into the European war. You know your constituents want peace, and we emphatically urge that you so express our sentiments. We know we can depend upon you.

I want to call the Senate's attention particularly to this question of rumors, because the rumors, apparently from the text of these telegrams, are of recent origin. There is another telegram from Fond du Lac containing form No. 6. Here is another one in what are called forms No. 7 and No. 8.

I have refrained from reading all of these telegrams, but those sorted according to number are absolutely identical in form, and I am informed by other Senators that telegrams identical in form have come from points all over the United States.

MADE-TO-ORDER "RUMORS OF WAR."

It is true that if the people of the United States were suddenly alarmed by rumors that were being spread by an intention on the part of this Government to plunge us into war, it might be alarming, and we would not be surprised to be overwhelmed with telegrams expressing the sentiment of the people—and it is the sentiment of the people—that they do not want any war. But the cruelty and the cunning of these telegrams is that they were framed perhaps weeks ahead of this crisis, and I shall show you later, and the foul thought is being implanted in the minds of United States citizens, and citizens of my State, and I have no doubt in the minds of other citizens, that this administration is, in fact, seeking to plunge this country into war. *But what will you say of conduct, what will you say of a practice, which puts into the mouths of honest, decent citizens of my State and of the United States words and suspicions that are not founded on fact, but founded on something that has been handed to them by some one else living away out of the State, by some party, hired by who knows what or whom?*

After all, I want to cover this matter as fully as possible, and I hope that I shall not say anything that will in any way embarrass our Government in this matter. The only purpose of my dwelling upon this subject at all is merely in the interest of peace. I believe that the best way to preserve peace is for the people of the United States to get right squarely back of their Government and to sustain that Government in every crisis which comes to it; and I am only talking now in the hope of exposing a plot which, in its very nature, if long continued must bring us into serious trouble—if not with foreign countries, with the people of our own country. *It is high time that the people who are being duped should know that they are being duped; that the masks be torn from the faces of those who*

pretend to be in the interest of peace, and in the garb of a peace-maker are endeavoring to stir up dissension and insurrection in our own country by these methods; and these methods are calculated to bring about that very result.

After collecting these telegrams, thinking that I had made a fairly satisfactory showing, at least to myself, I was fortunate enough to have presented to me some things which throw additional light on this campaign which is being now carried on. You have seen the articles in the World, in the Times, and in some of the other papers—the Herald, I believe, the Sun, and other New York papers—you have seen there that a certain secretary of the American Embargo Conference asked the newspaper men to give him publicity. I understand that the very man who asked them to give him such publicity is the man who stated that he was going to "pull off," so I have been reliably informed, "the biggest publication stunt that was ever pulled off in the United States." This secretary is the secretary, or at least is connected with the concern which I hope to show you not only sends out these telegrams, but which does something more, namely, pays for them.

I hold in my hand an original copy of blank-form telegrams. From a letter which I shall hereafter read you will learn that this blank telegraphic form was sent from the American Embargo Conference, located at Chicago. I am going to read this blank telegraphic form together with the directions at the top, and by comparing these forms with telegrams I have just read you will observe that Telegram No. 1 is identical with Form No. 1, that Telegram No. 2 is identical with Form No. 2, and so forth.

THE FORM TELEGRAMS.

Now, telegrams that have been received by various Members of Congress almost invariably follow the form of the "form" telegrams on the following sheet, even repeating typographical and grammatical errors of the form.

Here is the sheet of blank-form telegrams:

Please sign one of these telegrams and have voters each sign one telegram. Cross off the telegrams that are not signed and then hold this sheet until we wire you to telegraph it. Then please send it without delay.

NIGHT LETTER.

_____, 1916.

Hon. _____,
House of Representatives, Washington, D. C.:

Your constituents urge and expect you to stand like a rock against the passing frenzy of insane and criminal folly on the part of the small portion of interested persons who are clamoring for war. We want peace. Nothing warrants any other action.

(Address) _____

NIGHT LETTER.

_____, 1916.

Hon. _____,
House of Representatives, Washington, D. C.:

If warlike rumors coming from Washington are true, will you let me assure you that the great majority of your constituents stand for peace, believe war now unnecessary and uncalled for, and will resent being PARTICIPATED into the European conflict.

(Address) _____

NIGHT LETTER.

_____, 1916.

Hon. _____,
House of Representatives, Washington, D. C.:

As to-day's reports indicate that this country is likely to be rushed into the European war, let me assure you that I and your constituents, who will be the real sufferers, will bitterly resent anything but calm action, and calm action means peace continuing.

(Address) _____

NIGHT LETTER.

_____, 1916.

Hon. _____,
House of Representatives, Washington, D. C.:

Other constituents of yours join with me in informing you that we believe the great masses of the people will resent being dragged into a war that we must consider unnecessary. We appeal to you to lift your voice in opposing steps leading to war.

(Address) _____

NIGHT LETTER.

_____, 1916.

Hon. _____,
House of Representatives, Washington, D. C.:

Your constituents, joining with me in sending this message, are deeply alarmed by rumors that this country is near to being plunged into the European war. You know your constituents want peace, and we emphatically urge that you so express our sentiments. We know we can depend upon you.

(Address) _____

NIGHT LETTER.

_____, 1916.

Hon. _____,
House of Representatives, Washington, D. C.:

The wives and mothers in your district, who will suffer most if the war comes, urge me to appeal to you to do all possible to block warlike sentiment agitated by those who will not suffer. Your constituents see no reason for ending our peace.

(Address) _____.

NIGHT LETTER.

_____, 1916.

Hon. _____,
House of Representatives, Washington, D. C.:

Your constituents, joining with me in sending this message, are deeply alarmed by rumors that this country is near to being plunged into the European war. You know your constituents want peace, and we emphatically urge that you so express our sentiments. We know that we can depend upon you.

(Address) _____.

Mr. THOMPSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Kansas?

Mr. HUSTING. I yield.

Mr. THOMPSON. Mr. President, in line with the argument of the Senator from Wisconsin, I want simply to state in this connection that I received this morning a number of telegrams dated at Kansas City, Mo., but evidently most of the signers residing in Kansas City, Kans., 35 of the telegrams being identical with No. 1, which the Senator has read; 27 of them being identical with No. 2; 15 of them being identical with No. 3; 9 being identical with No. 4; 30 identical with No. 5; and 20 corresponding identically with No. 6, showing clearly that they were inspired from the same source as those received by the junior Senator from Wisconsin.

Mr. HUSTING. I should like to ask the Senator whether, in the telegrams coming from small towns, he found any two alike or whether they were not different telegrams?

Mr. THOMPSON. These all came from the same place, being dated at Kansas City, Mo.; but I am acquainted with most of the signers, and they reside in Kansas City, Kans. I have only one little, lone telegram from an outside town, evidently voluntarily sent by the sender himself, as it is couched in entirely different language.

Mr. GORE. No. 5 seems to be the favorite.

WHO HAS KEPT THE PEACE?

Mr. HUSTING. Yes; No. 5 seems to be the favorite.

It was rumored that the Republic might be plunged into war. Rumored when? To read these telegrams it would appear that the rumor had just started; that word had just gone out that the President of the United States desired to plunge this country into war, when, as a matter of fact, the telegrams had been lying on the desks of the senders for weeks, and perhaps months, waiting for the time when they should be rushed to the telegraph office and be sent to Senators and Representatives in Congress at a time which they then already anticipated would come, as though they were the creation of the moment, as though they were expressing the opinion of the moment.

The President had kept us out of war under the most trying and difficult circumstances for nearly a year and a half. Who else has helped to keep us out of war thus far? Certainly not the belligerent powers, who have trampled upon our rights, who have killed our citizens on the high seas, and who are now obstructing our commerce. Nor have their sympathizers kept us out of war. Our rights have been violated by all of the belligerent nations, by the entente allies as well as the Germanic allies. Suffice it to say that our rights have been trampled upon and a hundred things have occurred, each one of them sufficient under ordinary circumstances and conditions to have precipitated us into war, if instead of a peace-loving President we would have had an impulsive and warlike President, and yet we have had no war. Who kept us out of war? Who was here from March 4, 1915, until December, 1915, to bear the heavy responsibility of maintaining our honor and keeping the peace? Congress was not in session. There were no warning resolutions; there was no necessity to warn the President; there is no necessity to warn him now to keep us out of war. There was an attempt made here to warn our citizens from traveling on the high seas, because such action on their part might perchance get us into trouble with Germany; but I should like to know whether the same men—and I am speaking of the country at large—who favored warning our citizens not to travel upon the high seas for fear we might thereby become involved in trouble with some foreign Government would have been or are now in favor of issuing a warning to the shippers of the products of this country—cotton, wheat, wool, anything, if you please—not to ship their goods across the high seas for fear that it would get us

into trouble! Who would have had us warn our citizens to abandon all of our commerce for fear we might get into trouble with the other powers? It was the administration now representing our Government that has kept us at peace, as all the world knows!

POISONERS OF PUBLIC OPINION.

I am only saying this in passing, because the President of the United States has exerted every patriotic effort that he could to keep us out of trouble, and I resent it as a base insinuation and foul slander upon our Government for anyone to intimate or charge that the President of the United States has any idea in his mind except to preserve the peace of this country, if he can do so with honor to ourselves.

And what shall we say of a conspiracy financed by money from some mysterious source to slander and to bring the President of the United States into the hatred and contempt of his fellow citizens in the manner referred to?

So I say we have a peace-loving President, who has been criticized, on the one hand, because he is too peace loving, who has kept us out of war all this time, and, on the other hand, we find him charged, through the instrumentality of some organization, using the citizens of this country as its messengers, with attempting to plunge this Nation into the maelstrom of war. Here we find a deep-laid plot to poison the minds of his fellow citizens all over the country into the belief that the President wants war when every fact gives the lie to such assertion!

I say this is being done by this mysterious "embargo conference," this embargo conspiracy, I have not gotten through with it yet; and I want to come to the point now of showing conclusively to any fair mind that this propaganda, these 200,000 telegrams, are not only being sent out from a common head but they are being paid for by this same head.

THE TELL-TALE LETTER.

You will notice at the head of this blank form the holders are instructed to procure signers at once and hold the same subject to further orders, and I have already shown that these must have been in the hands of holders, who appear to have been part of the organization, for weeks or perhaps months. The word came to these procurers in the letters of April 24, namely, Monday of this week, as will appear from one of these letters which I will read into the RECORD and comment on in detail.

[The American Embargo Conference (Incorporated), Room 905, 139 North Clark Street (City Hall Square Building), Chicago. Telephone, Randolph 3189. Col. Jasper Tucker Darling, president, chairman of the executive committee; W. R. McDonald, general manager; J. H. Forrest, secretary; C. Hjalmar Lundquist, secretary; William D. Falk, treasurer.]

APRIL 24, 1916.

DEAR SIR: Feeling confident that as one of the patriotic citizens of the United States you are anxious to see this country held out of the present terrible war in Europe, we are making this extraordinary appeal to you because we know from the most positive information that is possible to be obtained at this time that the situation warrants it.

We can not find words strong enough to tell you of the gravity of the situation, and we assure you in the most earnest manner possible that the only way in which this country can keep from becoming involved is an immediate and great expression of the real sentiment of the people of the country who want peace.

We also most solemnly assure you that it is too late to mail an expression of this sentiment to Washington. It must be telegraphed. We have prepared night-letter telegrams that are ready to be signed by the voters. At the top of these sheets we asked that you hold these sheets until we give you notice to telegraph them. Now, we ask that you have the night letters signed as rapidly as possible and that you send them from the telegraph offices without a moment's delay.

Do not wait for any further word from us. Conditions are now even more serious and the messages should be sent at once. They should all be in Washington by Wednesday.

We beg that you will realize how grave we consider the situation to be when we assure you that we are to pay for all of the messages. All that we urge you to do is to get the telegrams signed and send them at once. Then send the bills to us and a check will be mailed to you immediately. We know what you have done in the past to help keep this country in a neutral position, and we know that at this, the most critical time in the diplomatic negotiations, you will not fail to act for us.

Only believe that our information is of the best and send the telegrams now. Please let us depend upon you in this crisis.

Thanking you for what we know you will do and repeating the assurance that we will pay for all expenses incurred, we beg to remain,

Most earnestly, yours,

THE AMERICAN EMBARGO CONFERENCE.

You will observe that the letterhead on the above letter is the same as the letterhead on the letter I received in February. Now you have heard the letter read. Let me call your attention to some of the details of this letter.

Let me call your attention to this:

We can not find words strong enough to tell you of the gravity of the situation, and we assure you in the most earnest manner possible that practically the only thing that will keep this country from becoming involved is an immediate and great expression of the real sentiment of the people of the country who want peace. We also most solemnly assure you that it is too late to mail an expression of this sentiment to Washington. It must be telegraphed—

I am reading now from this circular letter dated April 24, 1916, last Monday. It says, "It is too late to mail"—

It must be telegraphed. We have prepared night letter telegrams that are ready to be signed by the voters. At the top of these sheets we asked that you hold these sheets until we gave you notice to telegraph them.

Let me read further:

We also most solemnly assure you that it is too late to mail an expression of this sentiment to Washington. It must be telegraphed. We have prepared night-letter telegrams that are ready to be signed by the voters. At the top of these sheets we asked that you hold these sheets until we gave you notice to telegraph them. Now we ask that you have the night letters signed as rapidly as is possible and that you send them from the telegraph offices without a moment's delay. Don't wait for any further word from us. Conditions are now even more serious and the messages should be sent at once. They should all be in Washington by Wednesday—

The flood of telegrams that came in yesterday was in response to the American Embargo Conference, sitting at Chicago, and directing the transmission of hundreds of thousands of telegrams all over the United States, identical in terms, and all prepared in advance and held subject to order as directed. I read further:

We beg that you will realize how grave we consider the situation to be when we assure you that we are to pay for all of the messages. All that we urge you to do is to get the telegrams signed and send them at once. Then send the bills to us and a check will be mailed to you immediately. We know what you have done in the past to help keep this country in a neutral position, and we know that at this the most critical time in the diplomatic negotiations you will not fail to act for us.

Now, just for a moment let us take up this expression:

We know what you have done in the past to help . . . us.

What does that indicate? It indicates that previous orders of this kind have gone out and have been duly executed by these same men who are now procuring the execution and sending of these telegrams.

We know what you have done in the past. . . . the most critical time in the diplomatic negotiations.

Now, listen to this, Senators:

Only believe that our information is of the best and send the telegrams now. Please let us depend upon you in this crisis.

Thanking you for what we know you will do and repeating the assurance that we will pay for all expense incurred, we beg to remain, Most earnestly, yours,

THE AMERICAN EMBARGO CONFERENCE.

WHO PAYS THE BILLS?

Now, just note this phrase:

We know what you have done in the past to help keep this country in a neutral position, and we know that at this, the most critical time in the diplomatic negotiations, you will not fail to act for us.

Who is "us"? I want to say now that it should be determined, by an investigation of some kind, who is "us." Who pays for these telegrams? Who pays for this bureau? Who pays for the man they get to fetch and carry in every little hamlet in the country? Who is "us" who puts this foul stuff into the mouths, the hearts, and the hands of the President's fellow citizens? I want to know who "us" is. I want to know who is paying for the couple of hundred thousands of telegrams. If there is any proper tribunal, any proper department, any proper committee of any kind, let them find out who "us" is, and find out who is paying these bills, and find out how they are acting for "us"—American citizens employed to act for "us," as though there were some outside force wanted to be helped at the hands of American citizens.

I shall not stop to read these newspapers, but one of them says here:

"By noon to-day," said one of the officers, "50,000 telegrams will have been sent from Chicago, 25,000 from St. Louis, 20,000 from Cincinnati, 20,000 from Milwaukee, 15,000 from Detroit, 15,000 from Cleveland, and lesser amounts from smaller cities throughout the country."

Messages running up into the hundreds of thousands of dollars are being sent out of Chicago from the embargo conference, expressly worded to give them the appearance of a spontaneous expression of public sentiment, when in fact they have been deliberately procured and have been lying in cold storage for a month or more.

WHY THIS PROPAGANDA?

There are some other things that I should like to know. I should like to know what this person means by saying "our information is of the best." The United States had sent its message to Germany. There was nothing more to be given out from Washington, from the White House, and here they say that this is "the gravest crisis in the history of all our negotiations," and that their "information is of the best." Are they already foretelling, I want to know, the reply that we are going to get to our note? Do they pretend to know what Germany is going to do in reply to our note? Why, what is the object, I ask, of sending these telegrams here after our mes-

sage has been transmitted to Europe and before we have received a reply? What useful purpose is it going to serve?

If, as I said before, these letters were the spontaneous expression of hundreds of thousands of people who wanted to keep us out of war, would this Chicago headquarters cause their telegrams to come in at a time when the decision is hanging in the balance over in Berlin? Do they think for a moment that two hundred or three hundred thousand telegrams that have been sent here by citizens of the United States protesting, in effect, against our Government's action are going to persuade a foreign Government to yield to our rightful and just demands? Or are they better calculated, I want to ask, to strengthen another country in the belief that we, as Americans, recognize the justice of their claims and thus to give them timely advice that they need not yield to us, because, in the event that they do not yield to us, then we will yield to them?

I say I can not see what useful purpose these telegrams can serve at this time. I can see, perhaps, that they might have served a useful purpose if an unfavorable answer had been returned to the message of the President and when it was a question of war or peace, but the immediate question that is up now is not war or peace. The immediate question that is up now before us is whether Germany is going to yield or whether we are going to yield; and here we have two or three hundred thousand citizens of the United States, by procurement of a hostile agency, publicly expressing in effect the idea that we are in the wrong and that Germany is in the right. I want to ask whether they believe, when they sent those telegrams here, that they are going to be helpful to the country in keeping us out of war and in maintaining peace? Or is it perhaps the case that these procurers and some of the senders even wish or hope that the submarine warfare may be continued in order to compel us to yield to the universal sentiment for peace and let a foreign country go on with its shocking and horrifying work?

WHAT IS THIS EMBARGO CONFERENCE?

I should like to know how this organization was initiated, how it was and is being financed, and what powers or influences are back of it. Remember that the letter dated April 24, which I have read to you, declared that it was necessary to have these telegrams in the hands of Senators and Representatives by Wednesday. April 24 was Monday, and these telegrams were received here on Wednesday to the number of two or three hundred thousand. I am informed that these telegrams came from every nook and corner in the United States and arrived here on schedule time according to the directions on the top of the blank telegraphic forms.

In other words, the string was pulled in Chicago on Monday. The response came on Wednesday in the shape of hundreds of thousands of telegrams from every part of the United States. What organization in the United States can equal that record? Is it even possible for either of the great political parties or for the United States Government itself to equal it?

Now, Mr. President, this is no common, irresponsible organization, but one carefully and scientifically organized. There is more to this than the names of the insignificant men appearing on the letterhead; and so I say I want to know who is the builder of this organization, who or what is the moving spirit of it, and what is its sinister end.

I should like to have the roster of American citizens who are lending themselves to the execution of the ultimate design and purpose of this organization, and I should also like to have their names published in the press of the Nation so that we may know who they are.

These are among the thoughts that have occurred to me. No good can come of this publication of American differences; and I want to say, at least, as one Member of the Senate—and I hope I am expressing the unanimous sentiment—that this is no time to make a public exhibition of our differences to Germany. If we are sincere in our efforts to have peace we can only get it by keeping the respect, at least, of those with whom we are now negotiating. But if our citizens, either thoughtlessly or otherwise, are intent upon showing and disclosing to the European countries that they need not be afraid, that our notes mean nothing, if we mean to assure them in advance that we do not want even to hurt their feelings, what respect have they or will they continue to have for our notes? If they know that we are merely indulging in sending notes and that there is no force or strength back of that diplomacy backed and sustained by a united Nation, I wonder and I ask how do you expect to get any different results than a disagreement, and thus you bring about the very thing you are trying to avoid and to save us from? If you want a real crisis, all that is necessary is to inform those foreign countries with whom we are now negotiating that, no matter what they do or say they need have

no fear; that we want peace; that we will talk and will not fight, no matter what the cause—in short, that they may work their will on us; that they are safe, no matter what they do!

A good many hundreds of our citizens have been sent to the bottom of the sea. Of course we have resented it and have protested against it, but many of our citizens thought that we should warn our people to keep off the sea. Here the other day a man was arrested with papers upon his person, it is reported, which indicate that he may be a party to the work that is going on, and immediately there is talk to the effect that Germany will break off relations with us because we arrested her man!

Part of the press of the United States and some of our citizens who had favored the warning of our own citizens thought Germany might have just cause for breaking diplomatic relations because of the arrest of a German subject. Is it more hazardous to put a citizen of a foreign country in jail than it is to send hundreds of American citizens down to the bottom of the sea?

I say that I want these letters and these telegrams referred to the appropriate committee. I should like to have a sample of each one put into the Record for the purpose of enabling other Members of Congress to compare theirs with these, in order to convince themselves of the fact that the protests came not from their people, but from an influence beyond their State.

I want to say now that my sole object in discussing the matter to-day is to call the attention of the country and the Senate to the things that are going on in this country. I for one can not look with complacency or tolerance on any movement that seeks to poison the people of this country against their own Government. This is no time for taking chances; and I for one think that this Government may well take notice of these movements that are going on, and follow them up to their poisonous sources. I do not believe that any respectable Government will want to admit that it is carrying on a propaganda in this country. If it is, however, this Government should stop it once and for all. This Government can not afford to suffer any foreign Government to incite or attempt to incite our people, and any such attempt, if attempt there is, should immediately and promptly be made an end of. I believe that this country should waste no time before trying to put its finger on the heart of this sinister activity.

We can only have one end eventually, no matter how many crises we may pass. We may pass this crisis, we may pass another crisis, and still another, and still a hundred more; but it must be plain to everybody that if this war continues for another year or two, and incidents like those of the past against our rights continue, it can lead only to one end. No person or influence or power can make our people continue indefinitely to endure it.

THE MAIN ISSUE.

We all want peace. I hope that as long as I am a Member of this body I may never have to vote for a declaration of war. I do not want to vote for any declaration of war. I want peace, and I know every other Senator in the Chamber wants peace. It is only a question of how you are going to keep it. How are you going to get it? Are you going to get it by permitting this kind of business to go on in this country, unrebuked and unpunished? Are you going to have peace by debating in an academic way who is doing us the most injury—the allies of Great Britain or the allies of Germany? Instead of considering the question of our rights as against Germany, the controversy seems to have shifted as to which of the two belligerents are doing us the greatest injury. Which of these combinations is doing its best to drive us into war; which of these countries is most—I will not say insolent—but most regardless of our rights; which one is trying to put the barb into us the deepest?

I say we have lost sight of the main issue and are engaging in academic discussions instead of digging out the main issue. And what is the main issue? At this time the main issue for our citizens is this: Are we right or are we wrong in our controversy with Germany, and are you with or are you against the United States? If we are right, can we afford to abandon the right and condone a wrong, or shall we admit that we are mistaken, even though we know we are right, and thus condone a wrong and repudiate our rights?

We must settle these things one at a time; and I want to take occasion in just a few words to state my position.

I am for the United States against Germany or Austria or Great Britain or Russia or France or Japan or Turkey or any other nation on the face of the earth when opposed to us; I do not care what they are or who they are. I want each and every nation to respect our rights, as we propose to respect theirs; and I will not conceal the fact that I was in hopes long ago that Germany would yield and recognize our rights, so that we might straightway and promptly turn our undivided attention to other flagrant violations of our rights on the part of other countries. I believe that Germany has been standing in her

own light. I believe that in her refusal to bow and yield to the rightful demands of the United States she has in a way hindered and obstructed herself, because I believe there is a sentiment in this country which is that we shall play no favorites, but defend our rights, no matter how or by whom invaded. There is also a belief prevailing in this country that as long as the lives of our citizens are the issue that must be settled first; and then, I say, I believe there is a further sentiment in this country that when that is settled, and settled right, we should turn our attention to those who are wronging us in other ways, and make them see the right also.

That is the attitude that I want to take in this body, and the attitude that I think is the proper and just and right one. In this controversy that lies nearest to our right hand I believe it is absolutely necessary, in order to convince Germany that we mean business, that the country as one man should put themselves back of a President who has used his talents, his genius, his time, his energy, and all his other qualities of hand and heart with which Nature has so richly endowed him, to keep us out of war and preserve our honor. I say such a President as that deserves the support, in my humble opinion, of the humblest citizen in the land, as well as that of every Senator in this body.

NOT SENTIMENT OF NATION.

Now, I have said that these hundreds of thousands of telegrams might have the effect of encouraging Germany to maintain its position and put us in a position where we must yield or break off diplomatic relations. I want to remind, however, those whom it may concern that the expressions of these telegrams in the main are not the spontaneous utterances of our people, but as it clearly appears from what has already been said these are merely the repetition of some force, by some "us," seeking to hinder, delay, and obstruct the peaceful negotiations of this country with Germany. These are, therefore, not in the main the expression of the sentiment of the people whose names are attached to these telegrams except in so far as they reflect the universal desire on the part of our countrymen for peace, but a peace that must be consistent with honor and with American traditions of preserving American lives and American rights.

Let no foreign nation be deluded or deceived into the belief that American citizens will not support their American Government always. Let every foreign country be duly advised that if the time should come, which God forbid, when the American Government must take a stand which may involve a breach of diplomatic relations or involve us in even worse than that, that America as one man will leap to the defense of our flag, to the defense of our Government, to the defense of the lives of our citizens and of our sacred honor.

MR. WORKS. Mr. President, I have received something over a hundred of the telegrams to which the Senator from Wisconsin has referred so feelingly. It had not occurred to me to take exception to the contents of the telegrams or to criticize the American citizens who sent them. My constituents in California have a perfect right to express their views to me upon any public question. I have never resented it at any time. So has any American citizen in any State of the Union the right to express his sentiments to me or any other Senator.

There is no question before the Senate now. This whole matter is in the hands of the executive department. That department is responsible for whatever may be done. Until it comes in proper course before Congress I myself have felt that it ought not to be agitated under the present conditions. I think the President of the United States should be left to determine what shall be done under existing conditions, and that the Congress of the United States should be free when any responsibility is cast upon it to deal with this matter independently and freely. I am, therefore, astonished that any Member of this body should make such a speech as we have just listened to.

Mr. President, this is a solemn occasion. Everyone who stops to think about it realizes that the situation is a delicate one and that something may happen at any time that would precipitate a most unfortunate conflict with one or the other of the belligerent nations. Certainly we, as representatives of the people of this Republic, should not aid by anything that we may say or do to agitate the public mind and bring about any such consequences.

Therefore, Mr. President, I have not felt it to be any part of my duty to bring these telegrams before the Senate. They come properly to me. I have no sense of criticism of the people who have sent them. It does not make any difference to me whether they have been sent voluntarily and without suggestion by any single citizen or whether they have been suggested by somebody else. I assume that whenever a citizen attaches his name to one of the telegrams he is expressing his own sentiments, no matter who suggests it to his mind.

I think, Mr. President, the conditions are such that a Senator might well be admonished, as the Senator from Wisconsin has admonished the people who sent these telegrams, that it is a good time to be silent until we are called upon to act and speak.

Mr. POMERENE. Mr. President, I had not intended to say a word upon this subject, but, in view of the discussion to which we have listened, I simply desire to say this: I have received four or five hundred of these telegrams. Their character was such that it was evident to the merest tyro they were sent from some inspired source.

I am always glad to hear from my constituents on every subject that is attracting the attention of the public. I am particularly pleased to hear from them when I know that their messages contain their real sentiments and that they are not the mere conveyors of the sentiments or thoughts which may inspire the breast of some one who is actuated by some ulterior purpose.

Mr. President, I very much regret this campaign for this reason: The method which has been adopted casts a suspicion upon the motive of the man who started it. Evidently the telegrams themselves indicate a purpose of hostility against this Government. A campaign of this kind can not serve either the cause of truth or the cause of peace. It is for that reason that I regret that it has been started.

I do not care to occupy the attention of the Senate further in this matter, except to express my disapproval of the methods which have been adopted by those who are back of the movement.

Mr. HUSTING. Mr. President, I hope the Senate will indulge me a moment in reply to the remark of the senior Senator from California [Mr. Works].

Mr. ROBINSON. Will the Senator from Wisconsin permit me to suggest that this subject might well be left until after the close of morning business?

Mr. HUSTING. I shall take only a moment.

Mr. ROBINSON. Very well; I shall not make any objection.

Mr. HUSTING. Mr. President, I merely wish to say in reply to the remark of the Senator from California, who admonishes me that my remarks may have been out of order, or, rather, not in place at this time, that, of course, as a younger Member of this body, I am glad many times to defer to the opinions of senior Members, but I do want to say further that the Senator from California has made remarks here in regard to this administration and this Government at other times that would have impelled me to admonish him if I considered it proper to admonish a Senator from another State, who, I take it, is primarily answerable for his conduct to his State and country.

I want to conclude by remarking that I have spoken at length this afternoon because I thought it high time to bring this movement out into the open air where it can best be treated, and that with all due deference to the senior Senator from California he will have to permit me as long as I am a Member of this body as the representative, in part, of a great State to exercise my own judgment as to the propriety of any action which I may take or of making any remarks which I choose to make within parliamentary limits.

Mr. SHERMAN. Mr. President, I present a telegram on the same subject referred to by the junior Senator from Wisconsin [Mr. HUSTING]. I do not ask to have it read, but that it be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The telegram is as follows:

MAYWOOD, ILL., April 24, 1916.

Hon. L. Y. SHERMAN,
United States Senate, Washington, D. C.:

If warlike rumors coming from Washington are true, will you let me reassure you that the great majority of your constituents stand for peace. Believe war now unnecessary and uncalled for, and will resent being participated into the European conflict.

CHARLES BROBERG,
1618 South Seventh Avenue.

Mr. SHERMAN. The telegram of itself is unobjectionable. It is the number and circumstances that are out of the ordinary.

If the Senate will indulge me for a few moments, I wish to say that I have on the same subject about 4,000 similar telegrams in my office. It is inexpedient to take much time this morning. The Senator from Wisconsin has gone into the matter at length, and to some degree he, as well as the Senator from Ohio [Mr. POMERENE], voices my sentiments.

These telegrams, under the conditions, I wish to say will not change in any manner my vote or my conduct in this body. The right of petition is a sacred one in a republican form of government and is respected by the Senate. This is evidenced by the time taken and the extreme liberality with which the Senate regards such communications.

But, Mr. President, the right of petition is always one that ought to present the volition as well as the initiative of the

petitioner. In my judgment, the great number of telegrams that have come to certain Members of the Senate do not represent either the initiative or the volition of the person signing such petitions or telegrams. They indicate, in my opinion, so far as I can collect evidence on that subject, the activities of the American Embargo Conference, which seeks to close the neutral markets of our country against the belligerents in the European war.

I probably will not suit either side on pending controversies relating to our foreign affairs. I shall vote, Mr. President, against closing our markets to the purchase of war supplies by any belligerents that can enter our markets and arrange satisfactory terms of purchase with our people. I do that because I wish to defend the rights of my own country to purchase in the markets of the world if we unfortunately are at war. The defense of the right to sell to belligerents as a neutral nation constitutes the defense of our right to buy when we are belligerents in a neutral market wherever it may be deemed advantageous to us.

I do not agree with many of the matters in which this administration is called on to act, but I regard the American Embargo Conference, which I regard as the responsible author of these communications, as having misplaced its activities. Whatever I may do hereafter in voting upon peace or war or in sustaining or opposing the administration, if it should break off its diplomatic relations with foreign powers, will be decided when it is reached, if unhappily it must. On any existing ground at this time I am opposed to war and shall vote for peace.

I am an American and a neutral, and so being neutral I deplore the ex parte activities of those who are not neutral in arousing this flood of petitions. The excitement caused among our people by such procedure is harmful to our neutrality and our continued domestic peace.

I wish to say, Mr. President, in the few moments that I shall take, that these communications are, in my judgment, an abuse of the right of petition. They are thrusting upon this body those communications in a way that is intended to be a menace and not a legitimate argument, and whatever my views may be, and to some degree I sympathize upon other questions with these petitioners or with those who are active in the American Embargo Conference, I regard these numerous petitions as not only a perversion of the right of petition, but as an unworthy menace upon the liberty of action and of judgment of the Senate, and to that degree I regret its occurrence.

MIGRATORY BIRD REGULATIONS.

I wish to offer further, Mr. President, upon another matter, a petition presented to me by certain citizens of the State of Illinois relating to the United States Biological Survey relative to a revision of the migratory bird regulations for Illinois, and I wish to add in addition a few words. I am aware with what relief it falls upon the Senate like a blessed benediction. I did it designedly in order that the tension might be relieved.

Mr. ROBINSON. Mr. President, a parliamentary inquiry.

Mr. SHERMAN. Just a moment, on the last petition I have presented.

Mr. ROBINSON. Will the Senator permit me to indulge the hope that we may proceed with the morning business in a very short time?

Mr. SHERMAN. Very well; I shall certainly take but a moment. The complaint of the petition is that the Biological Survey has interfered with the legitimate rights of a number of sportsmen in various rivers, either the Mississippi or the tributary rivers, and the complaint is upon that ground. They regard the bureau as having become somewhat ossified in its conduct and very dictatorial in its regulations.

The VICE PRESIDENT. The petition will be referred to the Committee on Forest Reservations and the Protection of Game.

ARMED MERCHANT SHIPS (S. DOC. NO. 420).

Mr. NELSON. Mr. President, I have in my hand a statement issued by the State Department defining the attitude of the United States toward armed merchant ships in neutral ports and on the high seas. It was published in full in last night's Star. On account of the importance of the subject, I ask that it may be printed as a public document.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BRANDEGEE subsequently said: The Senator from Minnesota [Mr. NELSON] asked to have printed as a document a moment ago the statement which was issued by the Department of State in relation to the question of armed merchantmen. I should like to ask that it be printed in the RECORD also. It is a statement from a department of the Government on a very important matter. While the Senator from Utah [Mr. SMOOT], from the Committee on Printing, usually objects to both these courses being taken, I am quite certain that it would be much

more serviceable if printed in the Record than printed as a document, and I hope he will waive his objection to both being done in this instance.

Mr. SMOOT. I wish to say to the Senator that I understood the request of the Senator from Minnesota was that it be printed in the Record.

Mr. BRANDEGEE. No; that it be printed as a document. If I had had my way and could have made a suggestion to the Senator I would have asked him to request that it be printed in the Record, where it would have a much wider circulation.

Mr. SMOOT. I will ask the Senator to defer his request until I confer with the Senator from Minnesota. I have no doubt he will agree to the suggestion.

Mr. LODGE. I thought the Senator from Minnesota asked that it might be printed in the Record.

Mr. BRANDEGEE. The Senator from Utah takes the ground that the Committee on Printing will not allow or does not advocate the printing in both the Record and as a document.

Mr. GALLINGER. Mr. President, I am a member of the Committee on Printing, and that matter has never been before the committee.

Mr. SMOOT. I wish to state that the Joint Committee on Printing has time and again discussed the question as to whether matter should be printed in the Record and printed as a public document, and the position taken by the Joint Committee on Printing is that any particular article could be printed either in the Record or as a public document. If it is printed in the Record, it can be circulated exactly the same as a public document. It virtually becomes a public document, because it can be printed by itself or it can be taken as a part of the Record and sent through the mails in that way. That is the reason why the committee has taken this position. I believe it is the right one, and as long as I can object I am going to object.

Mr. BRANDEGEE. I will say to the Senator that it seems to be purely a technical objection on his part, because anybody can read it into the Record, and it may as well be printed in the Record and not take up the time of the Senate to read it.

Mr. SMOOT. I have no objection to printing it in the Record, I will say, if the Senator desires it.

Mr. NELSON. I have no objection to that course, but I want to have it printed also as a document.

Mr. LODGE. There is no reason why it should not be printed in both forms.

Mr. CLARK of Wyoming. Mr. President, a parliamentary inquiry. Does a single objection bar the request?

The VICE PRESIDENT. To print in the Record?

Mr. CLARK of Wyoming. Yes.

Mr. BRANDEGEE. I assume that a vote of the Senate could be taken on the question, but I hardly thought it was necessary to make a motion. I was simply asking the Senator from Utah to agree in this case that an important communication from the Department of State might be printed in the Record.

Mr. SMOOT. I have no objection, as far as the subject matter is concerned, to have it printed both ways, but I have been trying to be consistent in this matter.

The VICE PRESIDENT. It is very easy to settle the question. Is there objection to printing the statement in the CONGRESSIONAL RECORD? The Chair hears none, and it is so ordered. The Senator from Minnesota requests that it be printed as a public document.

Mr. NELSON. That has already been ordered.

Mr. SMOOT. I understand that the Chair was asking whether it should be printed in the Record, and that it was not going to be printed as a public document.

The VICE PRESIDENT. We can settle that question. All in favor of printing the article as a public document will say aye, contrary no. [Putting the question.] The ayes have it, and it is so ordered.

The statement referred to is as follows:

A statement from the State Department defining the attitude of the United States toward armed merchant ships in neutral ports and on the high seas was made public to-day by the State Department by direction of President Wilson. It originally was prepared as a circular note to other powers, but it later was decided to issue it as a statement.

TEXT OF STATEMENT.

The statement is as follows:

"The status of an armed merchant vessel of a belligerent is to be considered from two points of view: First, from that of a neutral when the vessel enters its ports, and, second, from that of an enemy when the vessel is on the high seas.

"FIRST. AN ARMED MERCHANT VESSEL IN NEUTRAL PORTS.

"(1) It is necessary for a neutral government to determine the status of an armed merchant vessel of belligerent nationality which enters its jurisdiction in order that the Government may protect itself from responsibility for the destruction of life and property by permitting its ports to be used as bases of hostile operations by belligerent warships.

"(2) If the vessel carries a commission or orders issued by a belligerent government and directing it under penalty to conduct aggressive

operations, or if it is conclusively shown to have conducted such operations, it should be regarded and treated as a warship.

"(3) If sufficient evidence is wanting, a neutral government, in order to safeguard itself from liability for failure to preserve its neutrality, may reasonably presume from the facts the status of an armed merchant vessel which frequents its waters. There is no settled rule of international law as to the sufficiency of evidence to establish such a presumption. As a result a neutral government must decide for itself the sufficiency of the evidence which it requires to determine the character of the vessel. For the guidance of its port officers and other officials a neutral government may therefore declare a standard of evidence, but such standard may be changed on account of the general conditions of naval warfare or modified on account of the circumstances of a particular case. These changes and modifications may be made at any time during the progress of the war, since the determination of the status of an armed merchant vessel in neutral waters may affect the liability of a neutral government.

"SECOND. AN ARMED MERCHANT VESSEL ON HIGH SEAS.

"(1) It is necessary for a belligerent warship to determine the status of an armed merchant vessel of an enemy encountered on the high seas, since the rights of life and property of belligerents and neutrals on board the vessel may be impaired if its status is that of an enemy warship.

"(2) The determination of warlike character must rest in no case upon presumption, but upon conclusive evidence, because the responsibility for the destruction of life and property depends on the actual facts of the case and can not be avoided or lessened by a standard of evidence which a belligerent may announce as creating a presumption of hostile character. On the other hand, to safeguard himself from possible liability for unwarranted destruction of life and property the belligerent should, in the absence of conclusive evidence, act on the presumption that an armed merchantman is of peaceful character.

"(3) A presumption based solely on the presence of an armament on a merchant vessel of an enemy is not a sufficient reason for a belligerent to declare it to be a warship and proceed to attack it without regard to the rights of the persons on board. Conclusive evidence of a purpose to use the armament for aggression is essential. Consequently an armament which a neutral government, seeking to perform its neutral duties, may presume to be intended for aggression might, in fact, on the high seas be used solely for protection. A neutral government has no opportunity to determine the purpose of an armament on a merchant vessel unless there is evidence in the ship's papers or other proof as to its previous use, so that the government is justified in substituting an arbitrary rule of presumption in arriving at the status of the merchant vessel. On the other hand, a belligerent warship can on the high seas test by actual experience the purpose of an armament on an enemy merchant vessel and so determine by direct evidence the status of the vessel.

"SUMMARY OF CONTENTIONS.

"The status of an armed merchant vessel as a warship in neutral waters may be determined, in the absence of documentary proof or conclusive evidence of previous aggressive conduct, by presumption derived from all the circumstances of the case.

"The status of such vessel as a warship on the high seas must be determined only upon conclusive evidence of aggressive purpose, in the absence of which it is to be presumed that the vessel has a private and peaceable character, and it should be so treated by an enemy warship.

"In brief, a neutral government may proceed upon the presumption that an armed merchant vessel of belligerent nationality is armed for aggression, while a belligerent should proceed on the presumption that the vessel is armed for protection. Both of these presumptions may be overcome by evidence—the first by secondary or collateral evidence, since the fact to be established is negative in character; the second by primary and direct evidence, since the fact to be established is positive in character."

II.

The character of the evidence upon which the status of an armed merchant vessel of belligerent nationality is to be determined when visiting neutral waters and when traversing the high seas having been stated, it is important to consider the rights and duties of neutrals and belligerents as affected by the status of armed merchant vessels in neutral ports and on the high seas.

"FIRST. THE RELATIONS OF BELLIGERENTS AND NEUTRALS AS AFFECTED BY THE STATUS OF ARMED MERCHANT VESSELS IN NEUTRAL PORTS.

"(1) It appears to be the established rule of international law that warships of a belligerent may enter neutral ports and accept limited hospitality there upon condition that they leave, as a rule, within 24 hours after their arrival.

"(2) Belligerent warships are also entitled to take on fuel once in three months in ports of a neutral country.

"(3) As a mode of enforcing these rules a neutral has the right to cause belligerent warships failing to comply with them, together with their officers and crews, to be interned during the remainder of the war.

"(4) Merchantmen of belligerent nationality, armed only for purposes of protection against the enemy, are entitled to enter and leave neutral ports without hindrance in the course of legitimate trade.

"(5) Armed merchantmen of belligerent nationality under a commission or orders of their government to use, under penalty, their armament for aggressive purposes, or merchantmen which, without such commission or orders, have used their armaments for aggressive purposes, are not entitled to the same hospitality in neutral ports as peaceable armed merchantmen.

"SECOND. THE RELATIONS OF BELLIGERENTS AND NEUTRALS AS AFFECTED BY THE STATUS OF ARMED MERCHANT VESSELS ON THE HIGH SEAS.

"(1) Innocent neutral property on the high seas can not legally be confiscated, but is subject to inspection by a belligerent. Resistance to inspection removes this immunity and subjects the property to condemnation by a prize court, which is charged with the preservation of the legal rights of the owners of neutral property.

"(2) Neutral property engaged in contraband trade, breach of blockade, or unneutral service obtains the character of enemy property and is subject to seizure by a belligerent and condemnation by a prize court.

"(3) When hostile and innocent property is mixed, as in the case of a neutral ship carrying a cargo which is entirely or partly contraband, this fact can only be determined by inspection. Such innocent property may be of uncertain character, as it has been frequently held that it is more or less contaminated by association with hostile property. For example, under the declaration of London (which, so far as the provisions covering this subject are concerned, has been adopted

by all the belligerents) the presence of a cargo which in bulk or value consists of 50 per cent contraband articles impresses the ship with enemy character and subjects it to seizure and condemnation by a prize court.

"HAVE THE RIGHT TO ARM."

"(4) Enemy property, including ships and cargoes, is always subject to seizure and condemnation. Any enemy property taken by a belligerent on the high seas is a total loss to the owners. There is no redress in a prize court. The only means of avoiding loss is by flight or successful resistance. Enemy merchant ships have therefore the right to arm for the purpose of self-protection.

"(5) A belligerent warship is any vessel which, under commission or orders of its Government imposing penalties or entitling it to prize money, is armed for the purpose of seeking and capturing or destroying enemy property or hostile neutral property on the seas. The size of the vessel, strength of armament, and its defensive or offensive force are immaterial.

"(6) A belligerent warship has, incidental to the right of seizure, the right to visit and search all vessels on the high seas for the purpose of determining the hostile or innocent character of the vessels and their cargoes. If the hostile character of the property is known, however, the belligerent warship may seize the property without exercising the right of visit and search, which is solely for the purpose of obtaining knowledge as to the character of the property. The attacking vessel must display its colors before exercising belligerent rights.

"(7) When a belligerent warship meets a merchantman on the high seas which is known to be enemy owned and attempts to capture the vessel, the latter may exercise its right of self-protection either by flight or by resistance. The right to capture and the right to prevent capture are recognized as equally justifiable.

"RIGHT OF CAPTURE LIMITED."

"(8) The exercise of the right of capture is limited, nevertheless, by certain accepted rules of conduct based on the principles of humanity and regard for innocent property, even if there is definite knowledge that some of the property, cargo as well as the vessel, is of enemy character. As a consequence of these limitations, it has become the established practice for warships to give merchant vessels an opportunity to surrender or submit to visit and search before attempting to seize them by force. The observance of this rule of naval warfare tends to prevent the loss of life of noncombatants and the destruction of innocent neutral property which would result from sudden attack.

"(9) If, however, before a summons to surrender is given a merchantman of belligerent nationality, aware of the approach of an enemy warship, uses its armament to keep the enemy at a distance, or after it has been summoned to surrender it resists or flees, the warship may properly exercise force to compel surrender.

"(10) If the merchantman finally surrenders, the belligerent warship may release it or take it into custody. In the case of an enemy merchantman it may be sunk, but only if it is impossible to take it into port, and provided always that the persons on board are put in a place of safety. In the case of a neutral merchantman the right to sink it in any circumstance is doubtful.

"(11) A merchantman entitled to exercise the right of self-protection may do so when certain of attack by an enemy warship; otherwise the exercise of the right would be so restricted as to render it ineffectual. There is a distinct difference, however, between the exercise of the right of self-protection and the act of cruising the seas in an armed vessel for the purpose of attacking enemy naval vessels.

"WHEN THEY LOSE STATUS."

"(12) In the event that merchant ships of belligerent nationality are armed and under commission or orders to attack in all circumstances certain classes of enemy naval vessels for the purpose of destroying them, and are entitled to receive prize money for such service from their Government or are liable to a penalty for failure to obey the orders given, such merchant ships lose their status as peaceable merchant ships and are to a limited extent incorporated in the naval forces of their Government, even though it is not their sole occupation to conduct hostile operations.

"(13) A vessel engaged intermittently in commerce and under a commission or orders of its Government imposing a penalty, in pursuing and attacking enemy naval craft, possesses a status tainted with a hostile purpose which it can not throw aside or assume at will. It should, therefore, be considered as an armed public vessel and receive the treatment of a warship by an enemy and by neutrals. Any person taking passage on such a vessel can not expect immunity other than that accorded persons who are on board a warship. A private vessel engaged in seeking enemy naval craft, without such a commission or orders from its Government, stands in a relation to the enemy similar to that of a civilian who fires upon the organized military forces of a belligerent, and is entitled to no more considerate treatment."

REPORTS OF COMMITTEES.

Mr. ROBINSON, from the Committee on Interstate Commerce, to which was referred the bill (S. 3069) to amend an act entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to regulate commerce,'" approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission," approved March 4, 1915, reported it with an amendment and submitted a report (No. 394) thereon.

He also, from the Committee on Claims, to which was referred the bill (H. R. 3794) for the relief of Thomas S. Johnson, reported it without amendment and submitted a report (No. 393) thereon.

Mr. SHEPPARD, For the senior Senator from Louisiana [Mr. RANSDELL], who is detained from the Senate, I report from the Committee on Commerce the bill (S. 4760) to authorize the change of name of the steamer *Normania* to *William F. Stifel*, and I submit a report (No. 400) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. MYERS, from the Committee on Public Lands, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

S. 3618. A bill authorizing the Secretary of the Interior to subdivide the southeast quarter of section 18, township 46 north, range 4 west, Boise meridian (the same being that portion of the town site of Plummer, Benewah County, Idaho, not yet platted), into 5-acre tracts for sale, and for other purposes (Rept. No. 398); and

S. 4287. A bill to grant unsurveyed islands to the State of Minnesota for forestry purposes (Rept. No. 399).

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 3617. A bill for the relief of Elizabeth Davis (Rept. No. 395); and

H. R. 7804. An act to authorize the issuance of patent to Oscar R. Howard, and for other purposes (Rept. No. 397).

He also, from the same committee, to which was referred the joint resolution (S. J. Res. 113) for the relief of Fred White, reported it without amendment and submitted a report (No. 396) thereon.

G. B. DICKSON.

Mr. MYERS. From the Committee on Public Lands I report back favorably without amendment the bill (H. R. 8067) to quiet the title to certain lands in the possession of G. B. Dickson, and for other purposes, and I submit a report (No. 392) thereon.

Mr. ROBINSON. Mr. President, I ask unanimous consent for the present consideration of that bill. My physical condition is such that I have been unable to be in the Senate for the last few days, and after to-day I expect to be absent for some time. I should like to have the bill disposed of before leaving the city. It is a private bill, and of no great importance, except to the claimant.

Mr. GALLINGER. Let the bill be read, Mr. President.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent in fee to that portion of land, the title of which is now in the United States of America, comprised in section 16, township 14 north, range 6 east, in the county of Craighead, State of Arkansas, to G. B. Dickson, the present occupant of the land, upon proof by him that there are no adverse claimants and that he has continuously occupied the land since January 1, 1882.

Mr. ROBINSON. If unanimous consent be given for the present consideration of the bill, I desire to offer an amendment which has been suggested, namely, after the word "land," in line 10, to insert the words "in person or by tenant." This is done to relieve the bill from the possibility of ambiguity. I do not think the amendment is necessary, but it has been thought to be so by others.

Mr. CLARK of Wyoming. How will the bill read if amended as proposed by the Senator from Arkansas?

The VICE PRESIDENT. The Secretary will read the language as proposed to be amended.

The SECRETARY. If amended as proposed by the Senator from Arkansas, the language will read:

And that he has continuously occupied the land in person or by tenant since January 1, 1882.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read the third time.

The bill was read the third time and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMPSON:

A bill (S. 5770) to amend an act entitled "An act to increase the pension of widows, minor children, etc., of deceased soldiers and sailors of the late Civil War, the War with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late Civil War," approved April 19, 1908; to the Committee on Pensions.

A bill (S. 5771) for the relief of Sylvester P. Hill (with accompanying papers); to the Committee on Military Affairs.

By Mr. MYERS:

A bill (S. 5772) to provide for the sinking of artesian wells, and for other purposes; to the Committee on Public Lands.

A bill (S. 5773) for the relief of G. W. Kates; to the Committee on Claims.

By Mr. ROBINSON:

A bill (S. 5774) to amend an act entitled "An act relating to the liability of common carriers by railroad to their employees in certain cases," approved April 22, 1908, and amended April 5, 1910; to the Committee on Interstate Commerce.

A bill (S. 5775) granting a pension to J. A. Swaim; to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 5776) to amend certain public-utility company franchises in the Territory of Hawaii; and

A bill (S. 5777) to authorize and provide for the manufacture, maintenance, distribution, and supply of electric light and power within the Lihue district and the Koloa district, county of Kauai, Territory of Hawaii; to the Committee on Pacific Islands and Porto Rico.

By Mr. CHAMBERLAIN:

A bill (S. 5778) granting an increase of pension to Emma E. Boswell (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 5779) granting a pension to Alonson V. Dean (with accompanying papers); to the Committee on Pensions.

By Mr. DU PONT:

A bill (S. 5780) granting an increase of pension to Kate K. Henry (with accompanying papers); to the Committee on Pensions.

By Mr. TILLMAN:

A bill (S. 5781) to amend an act entitled "An act to regulate commerce"; to the Committee on Interstate Commerce.

By Mr. PAGE:

A bill (S. 5782) granting a pension to Delia L. Trask (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. RANDELL submitted an amendment intended to be proposed by him to the rivers and harbors appropriation bill (H. R. 12193), which was referred to the Committee on Commerce and ordered to be printed.

Mr. MYERS submitted an amendment proposing to appropriate \$50,000 to enable the Secretary of the Interior to investigate the existence of artesian water and other underground water supplies suitable for irrigation in the arid and semiarid portions of northern Montana, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

RURAL CREDITS.

Mr. STERLING submitted two amendments intended to be proposed by him to the bill (S. 2986) to provide capital for agricultural development, to create a standard form of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes, which were ordered to lie on the table and be printed.

GLIMPSES OF OUR NATIONAL PARKS.

Mr. SAULSBURY submitted the following resolution (S. Res. 180), which was read and referred to the Committee on Printing:

Resolved, That the Public Printer be, and he is hereby, authorized and instructed to cause to be printed 1,000 copies, for the use of each Senator, of National Park Service bulletin known as "Glimpses of our National Parks."

RURAL CREDITS.

Mr. THOMPSON. Mr. President, I desire to give notice that on Saturday next, the 29th instant, following the routine morning business, I shall address the Senate on the pending Federal farm-loan bill.

GOOD ROADS.

The VICE PRESIDENT. The morning business is closed.

Mr. BANKHEAD. Mr. President, I move that the Senate proceed to the consideration of House bill 7617, commonly known as the good-roads bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7617) to provide that in order to promote agriculture, afford better facilities for rural transportation and marketing farm products, and encourage the development of a general system of improved highways, the Secretary of Agriculture, on behalf of the United States, shall in certain cases aid the States in the construction, improvement, and maintenance of roads which may be

used in the transportation of interstate commerce, military supplies, or postal matter.

The VICE PRESIDENT. The pending question is on the amendment proposed by the Senator from Ohio [Mr. POMERENE].

Mr. LODGE. Mr. President, the amendment proposed by the Senator from Ohio [Mr. POMERENE], it seems to me, is an eminently sensible one. It has met with an opposition which is very illuminating in regard to the main purposes of this bill. The Senator from Ohio described the character of roads with which we are all extremely familiar—we can see them by going a very few miles from this Capitol—roads which are annually repaired by the town or the county or the neighborhood. The repairing consists in digging out in springtime the washings of the winter on either side, piling them up in the middle of the road, and putting the road in such condition that it is fairly open to travel for that locality during the summer and autumn seasons. The work has no permanent quality whatever; it does not mean the building of good roads in any sense by the production of something permanent, while the purpose of this bill ought to be the development of good highways and main traveled roads extending between different States; that is, it should have a national character, a real value to all the people of the United States, who have to pay the bill. But this bill is a proposition to get the United States to dump in a certain amount of money annually for the temporary improvement of some local road—very local—which has no part in the great system of highways throughout the country. It is exactly like expecting the United States to come into a town which is not very well off to spend money to remove the snow or the mud in the spring, or something of that kind. This kind of temporary work has no relation to the building of good roads, as properly understood.

The opposition to the amendment proposed by the Senator from Ohio, as I have said, illustrates what I have felt from the beginning from an examination of this bill—that its primary purpose is the distribution of a large sum of money from the Treasury of the United States among deserving States and deserving voters.

I am as heartily in favor of good roads and of everything that can be done to develop good roads as anyone can possibly be. I have supported the development of good roads in my own State, and the State has done an immense work in building good roads. We have already resurfaced and put in splendid condition over half the roads in the State. For that very reason I dislike very much to see \$75,000,000, a large sum of money even for this country, taken out of the United States Treasury and spent nominally on roads, with results so trifling, even if we assume that the money will be spent in the best possible way, that this great amount should be practically wasted.

Take this amount with which we are dealing and make some comparisons. The State of New York has spent \$82,000,000 on its roads. It has a total road mileage of 80,000 miles, in round numbers, and by the expenditure of \$82,000,000 it has improved, put in proper condition, and made really good roads of 22,000 miles, 27 per cent of the roads of New York. To improve those roads alone within the boundaries of the State of New York, 22,000 miles in length, the State has spent \$82,000,000, and we are asked to improve the roads of the United States with an expenditure of \$75,000,000.

The roads of the United States, in round numbers, represent 2,227,000 miles, and if this money is spent upon them in the best possible way—and a large part of it will undoubtedly be wasted—it would not affect 1 per cent or one-tenth of 1 per cent of the roads in the United States; and yet it is an enormous sum of money to take out of the United States Treasury, especially at a time when we need the money of the United States for other and, to my mind, far more important purposes, and at a time when the expenditures in all directions are very heavy.

The \$75,000,000 if spent in the best possible way, as I have said, will accomplish little or nothing so far as the roads of the United States as a whole are concerned; but, Mr. President, we begin by taking 15 per cent of the money, about \$11,000,000, I presume, and expending it on another bureau, to build up another great administrative department here in Washington.

We are overridden with bureaus now. We are creating so many, and we have so many, that the practical administration of the country is passing rapidly into their hands. They control Congress. By that I mean, for instance—to give an example which I have used before, and which I will use again—we have five surveys going on in this country, in many cases duplicating the work. An effort was made some years ago to

try to consolidate these surveys and save money to the country, but it was perfectly useless; the bureaus hopelessly beat those back of the effort, both in the Senate and in the other House, although we could get better work and save much money to the Government by organizing them purely on a business basis. This has been demonstrated here in regard to those surveys in past years, not once, but again and again. The late Senator from Colorado, Mr. Wolcott, a very brilliant Senator and a very brilliant man, devoted years to making a fight on the subject of the surveys, but gave it up in absolute despair because we were so controlled by the bureaus here in Washington.

We have at least three navies—I think four, perhaps; but certainly three. We have the Navy of the United States; we have the Coast and Geodetic Survey with a little navy; we have the Coast Guard Service with a little navy; and I think the Army has a little navy of its own. Attempts were made years ago, when I first came to Congress, to bring those naval forces under one head. It would, of course, have been infinitely better in administration, and it also would have strengthened our naval forces in time of war. Even then, as many years ago as that, the effort was hopelessly beaten by the bureaus.

Now, it is proposed to build up a new great bureau here to spend money on good roads. As a trifling beginning, \$11,000,000, I believe, in five years is to be devoted to the purposes of administration—a mere nothing. Mr. President, if you inaugurate the system of appropriations provided by this bill, the fact that will impress the States and the people who receive it will be that the amount is so small that it does not really do any good; but you will have taught them to come to the United States Government for money to do the work which they ought to do themselves, and you will still further destroy the spirit of local self-government, the spirit of independence of the States in their own field of action. Appetite will grow by what it feeds upon, and out of this \$75,000,000 which it is proposed to give to the States as a beginning will come annual appropriations which will make the worst river and harbor bill we ever had look wan and pale and slight and attenuated in comparison. It will reach such a point, when you once hold out to the people of the States that they can get money here in Washington, that they will come here with clamors, which can not be resisted, and this \$75,000,000 will look like a trifle, a bagatelle; and yet \$75,000,000 taken out of the Treasury is a huge sum of money to be added to the expenditures of the present time, some of which are vital.

Mr. President, the maintenance of a road is quite as important, if not more important, than the original building of the road. If you have a bad road and spend no money on it, you fail to get a good road, and save your money; that is all; but if you spend a good deal of money on a road and do not maintain it, you have lost an immense amount of money and still have a bad road. There is no sufficient provision in this bill for the maintenance of the roads. The clauses in regard to maintenance are slack, and it does not seem to me that those supporting this bill can possibly understand what the maintenance of a road means.

Of course it is sheer waste to spend money on a road, as is proposed by those who oppose the amendment of the Senator from Ohio, in digging out the spring washings and piling them into the middle of the road. That is not maintenance; that is temporary repair; but to keep the road really a good road, really a main traveled road, a national highway, it must be attended to constantly.

We have 8,000 miles of as good roads in Massachusetts as I have met with anywhere in the world. I have traveled on the beautiful roads of France and England and elsewhere, as well as in this country, and I know of no better roads than the State roads of my own State. They are extremely expensive to build. They cost \$10,000 a mile, and if you double the width—as is the case in some places—\$20,000 a mile. But the average running cost of the State roads is \$10,000 a mile, built with tar, crushed stone, gravel, and so forth. Those roads cost \$800,000 a year to maintain; that is, to keep the whole system up to the condition in which it was when first built involves an expenditure, on an average, of a thousand dollars a mile a year. I do not mean, of course, that a thousand dollars is spent on each of the 8,000 miles every year. The road will go for many years without needing repairs, and then you will have to spend two or three thousand dollars a mile on it; but, on an average, it costs a thousand dollars a mile a year to keep those roads in Massachusetts in proper order, and there is not any provision made in this bill sufficient to insure the maintenance of a road in the condition in which it will be when the Government money has been spent on it.

One last point, Mr. President, which I think is to be considered, but which is not likely to have much effect in the votes against the bill, because it represents only injustice to a minority.

It is always a pleasant thing to get something for nothing. There is no money so easy, so agreeable to spend as other people's money, and it is the money that is most surely wasted. Now, the State of Massachusetts—I will take my own State to illustrate—out of the last \$25,000,000 to be expended under this bill will receive \$380,000, and she will pay in taxes, based on the direct taxes levied by the Government, \$1,400,000. Of that \$25,000,000 the States of New York, Pennsylvania, Connecticut, and Massachusetts, and I think New Jersey—those five States—will pay half. Now, that is pleasant for the other States, but it is extremely unjust to the States from which the money is taken. The Senator from Mississippi [Mr. VARDAMAN] said the other day that New York was a rich State, and ought to pay for her own roads and pay for other people's roads because it is a rich State. That seems to me a strange doctrine, Mr. President. The framers of the Constitution of the United States took great pains to endeavor to make taxation as equal as possible, and the fact that one State has more money than another or is more prosperous than another is no reason why that State should pay the bills of the less prosperous States; but that is just what this bill does.

Let me take as an illustration the emergency-tax receipts for the fiscal year ended June 30, 1915. The total amount collected in the United States, in round numbers, was \$52,000,000. Thirty-one million of the \$52,000,000 was paid by Connecticut, Illinois, Indiana, Massachusetts, New Jersey, New York, Ohio, and Pennsylvania. Twenty-one million of the \$52,000,000 was paid by the other 40 States. Those are direct taxes, falling on articles of consumption in the form of stamp taxes. We have no complaint to make about paying those taxes if our consumption and our use of stamps justifies it; but when you go beyond that and make us pay also for roads in distant parts of the country, under a bill from which we get no real benefit, it seems to me that it is extreme injustice, and I do not believe that laws rooted in injustice can or ought to prevail in the United States.

The first year of this bill my State will receive \$76,000 in order to improve its roads. Mr. President, the annual expenditure for roads of Massachusetts by the State—which is over two million—counties, and towns is \$6,600,000, and we are keeping our roads up not only for our own benefit but for the benefit of the whole country. New England is the great point of travel all through the summer, and those roads are open to the world free of charge. We get a reward no doubt in the travelers who are attracted by the fine roads, but none the less we are paying \$6,600,000 a year to build those roads. Now the United States comes along and offers to give us \$76,000 as an installment of five-year payments, and at the end of five years we shall have received \$1,100,000 and paid to the Government \$2,800,000. I really do not see why that money should be taken from us, because we pay a larger share of taxes than 40 other States.

These figures are used merely to illustrate what I consider the inherent injustice of the bill. That, as I have said, will have, I suppose, little or no effect on the vote of the Senate, but I wish to enter them as my protest against an injustice. The most serious objection, however, to the bill is, to my mind, that it will in no way advance the cause which we all have at heart. It will be a prodigious waste of Government money, with no corresponding result.

It is not as if we could spend \$75,000,000 in five years in building certain great trunk lines of road through the country in different directions, as in the old days of internal improvements, when they built the great Cumberland Road, I think it was, over the mountains. That was a national improvement, and gave the whole country a great artery of commerce, and all the States, whether they benefited by it directly or not, or whether they paid a larger share of money or not, were ready and willing to contribute their full part to the construction of the road. But this is a proposal to take the money paid by a few States—in its result, that is where it comes out—in the form of a huge sum of money from the National Treasury, and then scatter it about in small sums here and there, helping a bit of local road here and another bit there, ninety-nine one-hundredths of the value being only to the immediate locality, of no national value whatsoever. This huge sum is to be taken for that purpose.

I think I am justified in saying that the primary purpose of this bill is the distribution of money from the United States Treasury, to be distributed, no doubt, to deserving localities and deserving voters; but the result in good roads will be negligible. It will keep a good many people busy, I have no doubt; and, if I may return for a moment to what I said at the beginning, it will stimulate the appetite for appropriations which are for local purposes, the appropriations which go where the votes are lying thickest. Already they are a terrific drain on the

United States. Now you are opening up another source of drain on the Treasury which will go beyond anything that ever has been undertaken. The river and harbor bill will be nothing to it. The public-buildings bill will be nothing to it. Before you get through with this business, the Panama Canal will look like a cheap enterprise; because, if the people in the various localities once see that they are getting money from the Treasury of the United States, the demand will come up to Congressmen and to Senators that they must have more and ever more money for roads, and they will all get together in order to get the money for the roads, for with the roads go votes; and the bill will assume proportions which will stagger even the wealth of the United States.

It is to my mind most dangerous legislation in that way. It is entering on these vast expenditures without any thought of the future, and with results in the direction at which the bill is supposed to aim which will be perfectly trivial. There is an idea abroad—all of us must have seen it in our correspondence and elsewhere—there is an idea abroad in many localities that you can take money out of the United States Treasury, and that it is like a conjurer picking silver dollars out of the air. Nobody has to pay it; that seems to be the idea. Our taxes are laid on the theory that they must not hurt anybody. We try to impose the taxes where the votes are fewest, which makes a clumsy, ill-balanced, bad system, without any regard for the laws of economy or sound taxation; and our expenditures, as I have said, are based on the exactly opposite doctrine of spending the money where the votes are lying thickest.

I am no crazy economist. I never have been. I always have believed in liberal but intelligent Government expenditures. But we are now plunging into a course of expenditure, apart from those which we must make for the defense, the protection, and the government of the country, which are colossal, outrunning anything that ever has been dreamed of before. I think some of these expenditures for the present time at least can well wait; but I believe this bill is unsound economically, I believe it will do no good to the roads, and I believe it is going to end in a frightful waste of the money of the United States, which is all taken out of the pockets of the people sooner or later. You can not devise a tax that does not end by being distributed among all the people of the country, and the money which you are spending from the United States Treasury will all come out of the people. It will seem to the States that get \$3 for one that they are profiting at the expense of the States that are getting \$1 for three; but the net result will be a tremendous drain on the Treasury of the United States, and there is nothing in this bill that can ever justify the expenditure. You never will get out of this bill and out of an expenditure of \$75,000,000 any result except a trivial one, although the draft on the Treasury is so huge.

Mr. SMOOT obtained the floor.

Mr. BANKHEAD. Mr. President—

Mr. SMOOT. I yield to the Senator from Alabama.

Mr. BANKHEAD. It is now within two minutes of 2 o'clock, when this bill must be laid aside. I simply want to say to the Senate that I shall not ask the Senate to consider this bill during the morning hour to-morrow or next day, in order that we may have a little time for the calendar and other matters; but I hope that on Monday the Senate will resume the consideration of this bill and make some disposition of it as soon as possible.

I desire to ask, Mr. President, for a reprint of the bill, including, of course, the amendments which have been agreed to by the Senate, in order that we may have that before us when we next consider the bill.

The PRESIDING OFFICER (Mr. PITTMAN in the chair). Without objection, it will be so ordered.

Mr. GALLINGER. And the Senator will have the amendments printed either in brackets or in italics, so that they can be distinguished?

Mr. BANKHEAD. Yes; I should like to have that done.

Mr. POMERENE. May I suggest also that that order may include the pending amendments—the proposed amendments—so that they may be before the Senators?

Mr. BANKHEAD. The suggestion I made was that the reprint should include the amendments that have been adopted. The Senator's amendment is printed, and is here on everybody's desk.

Mr. POMERENE. The bill, of course, could be so printed as to indicate those which had been adopted and those which were proposed and pending.

Mr. BANKHEAD. The Senator's amendment is the only one that is pending.

Mr. POMERENE. Is it?

Mr. BANKHEAD. I should not like to include that in the bill which we are printing to show the amendments that have been agreed to.

Mr. VARDAMAN. Mr. President, if the chairman of the committee will let me make a suggestion, the amendments which have been adopted could be put in italics, and if the Senator wants his amendment to appear in the print, it could then be incorporated in brackets.

Mr. BANKHEAD. Really, I do not see any necessity for including that in a reprint of the bill to show the amendments, when the amendment has not been adopted.

Mr. POMERENE. My only object was this, that while this amendment was being discussed a good many Senators were absent.

Mr. BANKHEAD. It is on every Senator's table, Mr. President.

Mr. POMERENE. I hope Senators have seen it.

Mr. BANKHEAD. I have no doubt that they have read it. I would rather not have the reprint include amendments that have not been agreed to.

Mr. POMERENE. Well, all right.

The order as agreed to was reduced to writing, as follows:

Ordered, That the bill (H. R. 7617) "An act to promote agriculture * * * and encourage the development of a general system of improved highways, etc.," be printed showing the bill as reported in italics; the part to be omitted in line type; new matter agreed to in small capitals; and the pending amendment in bold-face type.

Mr. HOLLIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Hampshire?

Mr. SMOOT. I am going to ask a question, and then I will yield. Has the unfinished business been laid before the Senate?

The PRESIDING OFFICER. It has not.

Mr. SMOOT. I understand that there was an agreement that the Senate should go into executive session at 2 o'clock to-day.

Mr. HOLLIS. That is perfectly true. I was going to suggest that the unfinished business be laid before the Senate, and then I shall make the motion.

Mr. SMOOT. It comes up automatically at 2 o'clock.

RURAL CREDITS.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 2986) to provide capital for agricultural development, to create a standard form of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes.

Mr. HOLLIS. I ask unanimous consent that the rural-credits bill be temporarily laid aside.

The PRESIDING OFFICER. Without objection, that will be the order.

EXECUTIVE SESSION.

Mr. HOLLIS. I move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. Under the unanimous-consent agreement, the hour of 2 o'clock having arrived, the Senate proceeds to the consideration of executive business. The Sergeant at Arms will clear the galleries and close the doors.

The Senate thereupon proceeded to the consideration of executive business. After 3 hours and 30 minutes spent in executive session the doors were reopened.

RECESS.

Mr. HOLLIS. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate took a recess until to-morrow, Friday, April 28, 1916, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 27, 1916.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

Ensign Alfred T. Clay to be a lieutenant (junior grade).

Ensign Jay K. Esler to be a lieutenant (junior grade).

Ensign Eugene P. A. Simpson to be a lieutenant (junior grade).

Ensign Herbert G. Gates, jr., to be a lieutenant (junior grade).

Ensign Alexander W. Loder to be a lieutenant (junior grade).

Asst. Naval Constructor Robert B. Hilliard to be a naval constructor.

Asst. Naval Constructor Lee S. Border to be a naval constructor.

Gunner Alvin E. Skinner to be a chief gunner.

The following-named assistant surgeons of the Medical Reserve Corps of the Navy to be assistant surgeons:

John Harper,

Richard H. Miller,

Paul Richmond, jr.,

Forrest M. Harrison,

Lawrence F. Drumm,

George W. Taylor,

Walter A. Vogelsang,

Elphege A. M. Gendreau,

Grover C. Wilson,

Russell J. Trout, and

Virgil H. Carson.

Chaplain Hugh M. T. Pearce, with rank of lieutenant (junior grade), to be a chaplain in the Navy with rank of lieutenant.

John A. Nelson to be a lieutenant (junior grade).

Alfred J. Toulon to be a passed assistant surgeon.

POSTMASTERS.

ARIZONA.

L. L. Ferrall, Grand Canyon.

W. B. Kelly, Clifton.

CALIFORNIA.

Ardella F. Brown, Walnut Grove.

Virginia Mason, Suisun City.

H. E. Meyers, Yuba City.

ILLINOIS.

Thomas W. Daly, Witt.

Frank Johnston, Charleston.

KANSAS.

George W. Long, Galena.

MAINE.

Theresa L. Higgins, Woodland.

Silas T. Lawry, Fairfield.

MISSISSIPPI.

Jefferson D. Fogg, Hernando.

NEBRASKA.

J. R. Cooper, Holdrege.

NEW YORK.

Michael Daly, Rye.

B. F. Lent, Ithaca.

Robert A. Lundy, Ray Brook.

James McNamara, Ravena.

Garrett D. Roche, Perry.

George Sinnott, Tarrytown.

Fred G. Worden, Lake George.

Llewellyn W. Yawger, Union Springs.

REJECTION.

Executive nomination rejected by the Senate April 27, 1916.

EXCISE BOARD, DISTRICT OF COLUMBIA.

Robert G. Smith to be a member of the Excise Board for the District of Columbia.

HOUSE OF REPRESENTATIVES.

THURSDAY, April 27, 1916.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We wait upon Thee, our Father in heaven, with open minds and hearts for the inspiration of Thy spirit, that with clear vision, honest hearts, and patriotic devotion our sacred rights and hallowed traditions may be subverted.

We are confronted ever and anon by the civil, political, and religious rights of freemen; plutocracy and democracy are the opposing forces, each striving for supremacy. "No man can serve two masters; for either he will hate the one and love the other or else he will hold to the one and despise the other. Ye can not serve God and mammon." Help us to serve Thee with all our mind, heart, and strength, under the spiritual leadership of the Prince of Men, who died for the liberty of all mankind. Amen.

The Journal of the proceedings of yesterday was read and approved.

SAFETY OF EMPLOYEES AND TRAVELERS UPON RAILROADS.

Mr. DEWALT. Mr. Speaker, there is reported from the Senate a bill in regard to a minimum fine for violations of the act to promote the safety of employees and travelers upon railroads. That bill is on the Speaker's table. There is a House bill, reported from the Committee on Interstate and Foreign Commerce, of the same purport.

The SPEAKER. What is the number of the Senate bill?

Mr. DEWALT. I do not have the Senate bill number. The number of the House bill is 9132. We desire to substitute the Senate bill for the House bill.

The SPEAKER. Yes; but the main thing is to find the Senate bill, and it would be easier if you had the number.

Mr. DEWALT. I will defer it, then, until I can get the number.

The SPEAKER. It will be necessary, first, to secure unanimous consent, anyway, because the Senate bill came over here before the House bill was put on the calendar. The Senate bill is No. 3769, an act to amend section 3 of an act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907. Is that it?

Mr. DEWALT. Yes, sir; that is it.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table Senate bill 3769 and consider it now.

Mr. MANN. The House bill that the gentleman refers to was reported to the House only yesterday. I would like to have a chance to look over it. I hope the gentleman will postpone his request until to-morrow.

The SPEAKER. Does the gentleman object?

Mr. MANN. No; I do not object.

Mr. DEWALT. I withdraw my request, Mr. Speaker, at this time.

The SPEAKER. The gentleman from Pennsylvania withdraws his request.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HEATON, for one week, on account of illness in his family.

To Mr. SMITH of Texas, for two days, on account of illness.

AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12717, the Agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12717, the Agricultural appropriation bill, with Mr. HAMLIN in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12717) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917.

The CHAIRMAN. The Clerk will proceed with the reading of the bill for amendment.

The Clerk read as follows:

Salaries, Office of Markets and Rural Organization: One chief of office, \$4,500; 1 chief clerk, \$2,000; 1 administrative assistant, \$1,980; 5 clerks, class 4; 8 clerks, class 3; 14 clerks, class 2; 1 clerk, \$1,380; 1 clerk, \$1,320; 20 clerks, class 1; 1 clerk, \$1,140; 10 clerks, at \$1,000 each; 1 clerk, \$1,080; 10 clerks, at \$900 each; 1 clerk, \$840; 2 clerks, at \$720 each; 1 mechanical assistant, \$1,800; 1 mechanical assistant, \$1,380; 3 laboratory aids, at \$900 each; 4 laboratory aids, at \$720 each; 2 laboratory aids, at \$600 each; 1 photographer, \$1,400; 1 photographer, \$1,200; 1 telegraph operator, \$1,400; 1 telegraph operator, \$1,200; 1 map tracer, \$900; 1 map tracer, \$720; 1 map tracer, \$600; 1 map tracer, \$480; 1 laborer, \$720; 1 laborer, \$660; 4 messenger boys or laborers, at \$600 each; 4 messenger boys or laborers, at \$540 each; 2 messenger boys or laborers, at \$480 each; 1 messenger boy, \$420; 2 charwomen, at \$480 each; 1 charwoman, \$300; 2 charwomen, at \$240 each; in all, \$129,880.

Mr. HUGHES. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Georgia moves to strike out the last word.

Mr. HUGHES. Mr. Chairman, we can sometimes best understand the purpose of legislation if we make a practical application of its expected results, and I hope you will pardon me for giving this little incident. There was a large cotton farmer in my district who raised home supplies. On one occasion he planted 20 acres in turnips, arranging with a commission house in Macon to ship and sell wherever he could find a market. When he was shipping his turnips he stopped at a store in a

little city and saw several barrels of turnips. He asked the merchant where the turnips were grown, and learned that they came from Canada. He said to the merchant, "I have larger and better turnips than those. Let me send you some of mine so that you can sell Georgia turnips instead of Canadian, as you can afford to sell them cheaper by saving the freight charges from Canada here." The farmer sent these turnips over to the merchant. After an absence of 10 days, he stopped by the merchant's on his way home and saw what he thought was another lot of his turnips, and remarked, "I see you have ordered another lot of turnips from the farm." The merchant answered, "No; these are the same you sent over before leaving home. The people will come in and look at them, admiring them in every instance, but they always buy from the Canadian barrel."

The farmer commented on this fact to his commission merchant, telling him of his experience. The commission merchant advised "not to offer for sale direct from the farm. Ship all to me. I will repack, reship to your town, then they will sell there." This was done and the consumers were so delighted with the new variety of "Canadian" turnips that they bought them entirely, excluding altogether those from Canada. We see from this that the Biblical statement "a prophet is not without honor save in his own country and his own home" may be applied to so ordinary a thing as turnips.

I merely relate this incident to show the need of perfecting some method of organization which will enable the consumer and the producer to get together. Marketing and rural organization are among the foremost items in this bill, and I heartily indorse them, and trust that the great Department of Agriculture may be able to solve this important problem which now confronts the consumer as well as the producer, and every man, woman, and child is a consumer.

The farmers of the South have been criticized, and justly so, for relying on one money crop, namely, cotton. I assert that diversification would not be the exception but the rule if a market could be found for other products than cotton. The southern farmer has relied upon cotton from the fact that it has a ready market. It could be sold for six days in the week at any crossroads store until 1914, when the European war broke out, and when for the first time in history cotton was without a market. From the very fact that the southern farmer was dependent upon cotton as his only money crop this condition brought consternation, and almost bankruptcy, throughout the broad limits of the South. In 1915 the cotton acreage was reduced, less fertilizer was used, and a small crop was the result, bringing fairly good prices, which held up though the war was still in progress. In that year the farmers of the South diversified their crops more than any year during their history. Many farmers made quite a surplus of cereals and large amounts of meat. Many of them had a prosperous year, comparatively, but they had no way of disposing of this surplus crop so that they might enjoy the financial advantage which their satisfactory crops should have brought them. The Department of Agriculture has this great question to solve, and I am earnestly in favor of the proposed appropriation and such other appropriations as may be necessary to make their effort a success.

The fruit growers of Georgia for many years shipped their fruit regardless of supply and demand. The majority of this fruit was shipped to the city of New York with the result that the New York market was greatly overstocked. Their crops brought barely enough to pay the freight charges, and, in fact, in some instances did not bring enough. Fruit speculators would buy the fruit, place it in cold storage, then ship to other markets and sell at tremendous profits. The growers saw that the continuation of this plan meant ruin and they formed a fruit-growers' association, which now dictates the destination of every carload of fruit shipped by members of the association, frequently diverting a car in transit. The result is that the fruit growers of the South by this method have protected themselves and are reaping a profit from this great summer crop.

In May, 1913, Congress appropriated \$50,000 for the purpose of acquiring and diffusing information connected with the marketing and distribution of farm products. This resulted in the establishment of the Office of Markets. Later the appropriation which was made for the investigation of cooperation among farmers was transferred to that office, the name of which was changed to the "Office of Markets and Rural Organizations." This office was created because of the recognized need for improvement in the processes of marketing and distributing the agricultural products of the country and for solving many vital problems inherent in life in our rural communities. The Department of Agriculture for years has devoted much time, thought, and work in teaching the farmers how to produce more

and better crops; he must now be helped to market these to advantage, for it is of little use to increase the quantity and improve the quality if this can not be done.

I received a marked copy of the Farmers' Open Forum at my office which had an interesting article on better marketing methods, I wish to read only a few lines from this article:

This is the idea upon which the farmers of Maine have been working. They first organized local unions, having in mind the organization of a State central body. After eight of these small unions had been organized, a State-wide meeting was held and the representatives from these eight locals organized the Farmers' Union of Maine, which is the State central body. There are now 78 of these locals, all working independent of each other, but through the central body. This central body acts as the selling and buying agency for the locals. Twenty-two warehouses have been erected. There are 25 grain stores and 6 grocery stores. In addition, a wholesale grain house has been started, a distributing house in Boston and New York City, and they contemplate establishing a wholesale grocery store.

The farmers of Maine believe that it is just as important to buy right as it is to sell right. We find that we are able to save about \$40 on a carload of grain. We save the farmers \$2 per ton on commercial fertilizer, which meant a total saving of \$400,000 to the farmers of the State.

This is the result of cooperation. Rural organization is an important factor in the great effort now being made to get the farmer back to the farm for it makes farming a successful business. In my opinion there should be county, district, or township units, with a central organization in each State, and the Office of Markets and Rural Organizations in Washington City the general or national head. By some such method all products for sale could be known and distributed directly from the producer to the consumer. [Applause.]

Mr. HASTINGS. Mr. Chairman, I was born on a farm just after the Civil War, when everyone was poor and when times were hard. I am, therefore, familiar with farming and farm life. My sympathies have always been with the farmer, and I have always looked at things from his viewpoint.

I represent in part a great agricultural State, and it is natural that I should take a deep interest in the consideration of this bill. I have been both gratified and instructed by the discussion of the various items in this measure during the past 10 days. I have frequently wished the past few days that many, if not all my constituents, could be present in the gallery and witness the very deep interest that Members of Congress take in the welfare of the farming class of this country. Many of them are not aware of what the Federal Government is doing to assist the farmer.

AMOUNT APPROPRIATED FOR AGRICULTURE.

This bill carries an appropriation of \$24,501,093 in addition to a standing appropriation of about \$6,000,000, so that in round numbers \$30,000,000 is annually spent through the Department of Agriculture in aid of the farmers throughout the Union. In my judgment no money is better spent by the General Government.

The records show that about six and one-half million farmers live in the United States, and that about 45,000,000 people, including women and children, are dependent on them. The entire country is largely dependent upon them for prosperity. When the farmer's acres yield fair returns and the markets are good, the proceeds of his crops go into the channels of trade, and not only is the farmer and his family benefited, but the business of the entire community is stimulated. When his funds are plentiful the farmer beautifies and enlarges his home, builds a bigger and better barn, puts out an orchard, repairs his fences, spends more money for family conveniences and comforts, insists on better educational facilities for his children, and contributes liberally to the building of schools and churches in the community in which he lives. The money derived from the sale of abundant crops goes to the blacksmith, the carpenter, the laborer, the merchant, and into the banks of the community, so that everyone shares in his prosperity. The General Government should do everything it legitimately can through legislation to help this industry—the leading one of the country.

I am gratified to know that this bill is not sectional. Some of the appropriation bills which we are called upon to consider make large appropriations for certain localities. Every section of the country will be benefited by this bill.

I congratulate the House and the country upon the splendid committee which has spent days and weeks in preparing this measure, carefully examining every item going into it. I am sure that I voice the sentiment of every Member of the House and of the committee when I specially commend the chairman of the committee for the great work he has done in the interest of scientific and practical agriculture. From the discussion of the various items of the bill he has shown that he is in deep sympathy with the purposes of it and that he understands the reasons for the insertion of every item. In answering inquiries propounded in debate, he has always been courteous and con-

siderate, and has deservedly won the confidence of both sides of the Chamber.

The Department of Agriculture was established in 1887. At first the appropriation for it was small, but the amount has been gradually increased from year to year.

BUREAU OF ANIMAL INDUSTRY.

The Bureau of Animal Industry is one of great importance to the entire country. The bill appropriates for this bureau the aggregate amount of \$2,222,777. Of this sum, large amounts will be used for the detection, prevention, treatment, and cure of the various diseases of domestic animals and communicating the results to the people throughout the United States. The sum of \$360,000 is carried in the bill for the investigation, control, and eradication of hog cholera. Few people know the immense loss caused by this disease. The records show that from January 1 to November 1, 1915, a period of 10 months, Oklahoma sustained a loss of \$632,874 from it, and the entire United States shows the enormous loss of \$75,000,000 caused by hog cholera the past year. Reports show that a serum has been found which when properly used in the vaccination of hogs prevents their taking the cholera. The Department of Agriculture is not only interested in finding the remedy, but by means of bulletins and articles in agricultural papers and through demonstrators the department is educating the farmers how to protect their hogs from this disease.

My home paper, just received, contains a local item showing the work of the Government agent in demonstrating to farmers how to use the serum in the vaccination of their hogs.

Other items under this head contain adequate appropriations for the investigation and study of diseases of every kind or character of horses, mules, and cattle.

BUREAU OF PLANT INDUSTRY.

Under this head there is appropriated the sum of \$2,511,620, providing in detail for the study of every disease of plant life. Of this appropriation there will be used for the investigation of diseases of fruit trees the sum of \$63,615, and the sum of \$59,000 for the investigation of diseases of cotton, potatoes, truck crops, and forage crops. Special attention is given to the testing of seed samples, grasses, clover, alfalfa, lawn grass, or other seeds. Farmers are protected through this appropriation against adulterated seeds.

The bill carries an item of \$252,540 for the purchase and congressional distribution of valuable seeds and plants. There is much discussion annually leveled against this item. Similar items have been carried in appropriation bills for a great number of years. In my opinion, the distribution of these seeds and plants serves a useful purpose. They stimulate the farmer's boy and girl, as well as their father and mother, to take extra pains in preparing beds and planting them. A package of seed does not cost much, and because of the special care taken with them I feel sure they serve a useful purpose in encouraging the boy and girl, as well as their parents, to more carefully study gardening.

I remember when a boy living across the Arkansas line in the Indian Territory when by some chance the name of my father was given the Department of Agriculture and he received a package of seed. Every member of the family took great pains in seeing that the seed bed was carefully prepared, enriched, and cultivated. Again, the sending of these seed, which cost the Government but little, serves to remind the people at home that their Member of Congress has them in mind and acts as a remembrance card from him. We do not prize an Easter card so much for its value or beauty as we do for the kindly remembrance of a friend.

BUREAU OF SOILS.

Under the heading of Bureau of Soils there is appropriated the sum of \$328,735 for investigating the composition and productivity of soils and for ascertaining and determining the best possible sources of fertilizers, including potash and nitrates. In a new fertile State, like Oklahoma, not much attention has been paid in the past to enriching the soil. The allotment of the land has brought individual ownership and the people are beginning to study the best methods of improving it. Nothing should be permitted to go to waste about the barnyards, but everything conserved and properly distributed. The same land should not be planted to cotton and corn from year to year, but the crops should be rotated—planted to forage crops, sown to small grain, peas, alfalfa, and the grasses. Some soils need commercial fertilizers, and the Government, through the Department of Agriculture, is doing a great work in educating the farmers as to the things necessary to build up certain weak soils. The farmers are beginning to appreciate also that all soils are not adapted to raising the same crops, and that some land may be profitably planted to one crop, while a crop of another kind

would prove a total failure on the same land. Hence the study of the different kinds of soil is of great value to the farmers.

Large appropriations are carried in the bill for the investigation of insects affecting cotton, including the boll weevil, and, in fact, the study of all insects which destroy the crops grown in the garden or field and the fruits in the orchard.

FARMERS' BULLETINS.

This bill not only appropriates money for the use of the Department of Agriculture to study and find out the remedies but items are carried appropriating adequate sums for the carrying of this information to the farmers. This is the point that I want to emphasize. The information would serve but little purpose if it were not turned to practical use. I want to do everything possible to press upon the attention of every farmer in the country the results of the investigation of agents of the department, published in bulletins carefully prepared upon practically every subject in which the people are interested. There is not a crop grown upon the farm, a vegetable planted in the garden, or a fruit grown in the orchard but what valuable information is collected regarding it. These bulletins also deal with every other subject in which the citizen is interested. Whether you live upon the farm or in the city, if you will take time to look over the list, many bulletins will be found in which you are interested, the reading of which will be of benefit.

I can not too strongly commend them to the people of my district, and in order to advise them of the benefits that may be derived from them, I have taken pains to invite their attention to the bulletins and supply, so far as I could, all requests for them.

FARM DEMONSTRATORS.

While very much valuable information is communicated to the farmers of the country through bulletins, the metropolitan press, and agricultural journals, I want to testify to the great work that is being done by the farm demonstrators throughout the country. The people of Oklahoma keenly appreciate the importance of their work. We have one of the best agricultural colleges in the United States, largely attended, and while comparatively new, Oklahoma having been admitted to statehood in 1907, we are beginning to feel the good effects of the great work being done at this college.

In addition we have six district agricultural schools, and by a provision of our constitution agriculture is taught in all the schools throughout the State, so that through the agricultural college, district colleges, normal schools, city schools, and rural schools scientific farming is being taught and practical information disseminated. Notwithstanding this great work I want to attest to the valuable work being done by the farm demonstrators, who go among the people upon their farms and bring the results of the study of agriculture in a practical way to the farmers themselves. They test the soils for the farmers, advise them what to plant upon this tract or upon that one, and give them information as to how best to cultivate farm crops, as well as to harvest and take care of them. They encourage them to produce more and better live stock and instruct them how to prevent and cure diseases. There has already been a great awakening among the farmers, particularly throughout the South and West, which in a few years will manifest itself in the general prosperity of the farming classes throughout the entire country.

BUREAU OF MARKETING.

This bill also contains an item making an appropriation for a bureau of marketing. The farmers not only need to be educated how to care for and improve their soils, making them yield more wheat, corn, cotton, potatoes, and other crops, they not only need to be encouraged to buy more live stock and improve the same, but they need the helpful, sympathetic assistance of the Government in securing to them the full value of everything raised or grown upon the farm. They need to be directed, so that they may come into direct communication with the consumers. The profits of the middlemen should go to the farmers themselves. The building of good roads will give them better and quicker transportation facilities. All transportation charges, whether upon the dirt road, the railroad, or upon the rivers, should be reduced to a minimum and saved to the producers. The parcel post, when enlarged and when rural routes are more generally established, will be of great benefit to the farmers.

In addition the farmer needs cheap money. I am confident that this Congress before adjourning will enact rural-credits legislation, which will afford a means whereby the farmers of the country can borrow cheap money with which to buy and improve their farms, improve their live stock, and, when their crops mature, enable them to hold the same until they obtain a favorable market.

To aid in some small way in accomplishing these results is my sole ambition in aspiring to a seat in this House. I have voted for every item in this appropriation bill which commends itself to me as being in the interest of the real farmers of the country. Everyone appreciates that the farmer himself, his good wife, and the farmer's boy and girl work longer hours than any other class of citizens. The entire country depends upon the farmer for subsistence. It is well that Congress give thoughtful consideration to his welfare and enact all legislation which will better his condition and bring, so far as legislation can, the comforts and conveniences of the town and city to farm life. By doing so we will increase the population of the rural communities and carry happiness, contentment, and prosperity to the great farming class. [Applause.]

The Clerk read as follows:

For acquiring and diffusing among the people of the United States useful information on subjects connected with the marketing and distributing of farm and nonmanufactured food products and the purchasing of farm supplies, independently and in cooperation with other branches of the department, State agencies, purchasing and consuming organizations, and persons engaged in the transportation, marketing, and distributing of farm and food products, \$285,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. This is a very important item, for a very important purpose. Will the gentleman from South Carolina indicate whether this appropriation has been increased over last year?

Mr. LEVER. Yes; this appropriation has been considerably increased. The total increase is \$64,620.

Mr. MOORE of Pennsylvania. In this paragraph?

Mr. LEVER. In this paragraph.

Mr. MOORE of Pennsylvania. Is the next paragraph appropriating \$136,600 new?

Mr. LEVER. That work is not entirely new, but the amount is considerably increased in that appropriation also. There is a new item on page 73.

Mr. MOORE of Pennsylvania. I am informed that the increase on the present item is about \$47,000.

Mr. LEVER. The increase on the present item is \$64,620. There are some transfers which make the difference.

Mr. MOORE of Pennsylvania. Will the gentleman explain why that increase is necessary?

Mr. LEVER. The gentleman understands, of course, that the Office of Markets and Rural Engineering is one of the new services in the Department of Agriculture. It has been in operation now about three or four years. Heretofore the activities of that bureau have been in the nature of gathering together information on marketing and the distributing of farm products. Under the direction of the committee they have been going rather slowly, because we have felt that, since this was a new service, they ought to be careful to make no mistake. Now they have organized and developed to such an extent that they are able to extend their operations rather materially to other lines, and the increase here is for the purpose of extending those operations, mostly with respect to cooperative purchasing and marketing; marketing grains, marketing live stock and animal by-products; marketing seeds, hay, and dairy products, and investigation of marketing business practice.

The larger part of this increase will be used in extending the investigations and work of the department along these lines.

Mr. MOORE of Pennsylvania. To what extent does the bureau help the farmers who raise farm products like tomatoes, potatoes, and so forth?

Mr. LEVER. The next item deals with that specifically.

Mr. MOORE of Pennsylvania. Is any of the sum of \$285,000 provided for in this item used for the purpose of helping the farmers who raise truck and supply city markets?

Mr. LEVER. Some of the money appropriated under this paragraph has been so used, but the fund for that purpose in the present bill is carried in the next item of \$136,600.

Mr. MOORE of Pennsylvania. Where is the most of the \$285,000 used—at Washington, or in field work?

Mr. LEVER. It is pretty well divided between the work in Washington and field work. They have a great many agents in the country gathering information, which later will be analyzed and digested in Washington and made useful. Let me illustrate this work.

Mr. MOORE of Pennsylvania. I would be glad if the gentleman will do so. This is one of the most important items in the bill.

Mr. LEVER. Let me illustrate this line of work under the present item, and I will take cotton, because I am more familiar with the marketing of cotton than that of any other product. Under this item the Office of Markets has been making surveys, 100 or more, of the practices and methods of marketing cotton in the various cotton markets in the South with a view to deter-

mine all of the economic factors that enter into the farmer's price, the price to the commission men, to the cotton merchants, and to the port of exportation or local mills of consumption in this country; to determine the various factors that enter into the final price; to determine whether or not the original producer is getting an equitable share of the price of the cotton.

I think it was in an Oklahoma city that it was discovered that on the local cotton market a bale of cotton of the highest grade sold for from \$3 to \$20 less than a bale of cotton of a less grade sold for on the same day in the same market. That is a tremendous economic waste to somebody. The farmer in that case is the burden bearer of that waste.

I think I can assert without hesitancy that on account of the system or lack of system in grading cotton in the South there is a loss to the farmer of from \$5 to \$10 on each bale of cotton produced. That, on a 15,000,000 bale crop, would amount, at \$10 a bale, to \$150,000,000. That is a tremendous economic loss. The farmer bears it. The purpose of the Office of Markets is to bring these striking facts to the attention of producers and to the attention of consumers with the view of interesting them in better methods of grading, handling, transportation, and distribution in general.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. I ask for five minutes more so that I may yield to the gentleman.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LEVER. Now, Mr. Chairman, I have some knowledge of the cotton business. We have about three classes of cotton graders—men who give to cotton the grade which finally fixes the price. We have the honest cotton grader, a man who really knows the difference between different grades. Then we have the competent and sometimes, I am sorry to say, dishonest grader who knows the grade but does not grade according to his knowledge. And finally we have the third class, which consists of the dishonest man but incompetent grader.

The dishonest grader who is competent dishonestly grades, and the farmer loses by that process. The honest but incompetent grader necessarily and naturally undergrades, according to his own judgment, in order to protect himself from his own ignorance. The result is, again the farmer loses. Now, the purpose of this work is to devise ways and means and methods by which we can bring these facts strongly to the people, with the view of improving the system.

In one place in Arkansas where these facts were brought to the attention of the farmers, the department, having sent one of its expert graders there, in four months developed the facts and so called them to the attention of the public that the farmers themselves organized into an association and hired an expert grader at \$3,000 a year. When that happened the department withdrew their representative and sent him into some other community, there to demonstrate what it meant to have an efficient, competent, and honest grading of cotton. Another thing, it was brought to the attention of the committee, and I did not know anything about it, although I have been in the cotton business all my life, more or less, that a great deal of the cotton of this country—more than a million bales last season—is sold in the seed without ginning. The statement was made that it is absolutely impossible to grade cotton correctly in the seed, and it is estimated that on each bale of cotton sold in the seed and graded in the seed there is a loss of about \$6 a bale to the man who sells it. The fact was further developed that in all the Southern States—South Carolina less than any other, for there only 23,000 bales were so sold—over a million bales during the last season were sold in the seed. If that is true, and there is a loss of \$6 a bale by selling in the seed, it amounted to a loss of \$6,000,000 to the cotton producers of the South. Now, that is because the producer does not know and has not been informed that it is a bad business practice to sell cotton in the seed.

It is the function of this appropriation in this item to gather together such facts, to get such information, and in turn to disseminate it for the use of the public. As I said at the outset, I refer to cotton only as an example. Under this item work is done on other farm products, including live stock, hay, grain, seed, dairy products, and so on.

Mr. MOORE of Pennsylvania. Can the gentleman tell how much of this \$285,000 is expended for making these investigations for the marketing of cotton?

Mr. LEVER. I have that information here; yes. I have the information of what was expended in 1916, and the appropriation for 1917 would be relatively a little greater. For cotton, \$23,300. I can give it all to the gentleman if he desires.

Mr. MOORE of Pennsylvania. I wanted to know about what proportion of the \$285,000 would be expended for cotton investigations.

Mr. LEVER. Twenty-three thousand three hundred dollars, with the relative increase in this item.

Mr. MOORE of Pennsylvania. What will become of the rest of the money? Will that go for investigation of farm and food products generally?

Mr. LEVER. No; the balance of that appropriation would be used in making investigations of cooperative purchasing and marketing of farm products and other projects.

Mr. MOORE of Pennsylvania. For general farm products?

Mr. LEVER. Yes. That would be \$24,100; and then a certain other amount, \$54,220, would be used in making the marketing surveys of methods and costs of marketing; marketing grades and standards would take up \$12,400; city marketing and distribution would be \$12,000; transportation and storage investigations, \$12,000; miscellaneous problems in marketing and cooperation, \$30,800; marketing by parcel post and express, investigation thereof, \$15,280; marketing live stock, meats, and animal by-products, \$23,000.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. LEVER. Mr. Chairman, I will take the floor in my own right.

The CHAIRMAN. The gentleman from South Carolina is recognized for five minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, I want the gentleman to yield to me a little of his time.

Mr. LEVER. Certainly.

Mr. MOORE of Pennsylvania. Mr. Chairman, on line 10, in the second paragraph from the one we are now considering, page 72, provision is made for another appropriation of \$48,000 for investigation and demonstration of standards relating to cotton, tares, and so forth. All the way through the representatives of the cotton States are taking care of the interests of the cotton planter on the floor of the House. There may be no objection to that, because it is natural that the men coming from the cotton States will take care of their own. I do not blame them for that; but in view of the explanation which is made by the gentleman from South Carolina [Mr. LEVER] as to the conditions that prevail with respect to cotton, and in view of the fact that we appropriate for investigating the cotton market, for making censuses of cotton, for looking after the cotton planter from the time the seed goes into the ground until the cotton is taken out of the boll—in view of all these things, it seems to me that if we are to appropriate sums like \$285,000, including the sum in the paragraph following for \$136,000, some attention should be given to some of the other products that arise from the farm. If the eastern farmer does not understand this situation—

Mr. LEVER. Oh, the gentleman knows that these investigations cover every possible farm product.

Mr. MOORE of Pennsylvania. I am pleased to be informed of that; but I am calling the attention of the committee, without in any way reflecting upon the earnestness of the Representatives of the cotton States to look after their own, to the fact that all over the country in the farming districts there are droughts, there are periods of distress, there are times when cyclones sweep the grain fields, there are times when there are gluts in the market, there are times when other farmers suffer losses, who ought also to have the benefit of information, advice, and assistance from the Government, if other sections of the country have it. I say if the eastern farmer or the western farmer or the northern farmer or the southern farmer does not understand what is being done in certain lines on certain farms or on certain plantations it is his own fault; and if it happens, as it did, when there was distress in the cotton fields a year ago, that the farmers of New Jersey ran up against a complete glut in the potato market or were unable to sell tomatoes, which they have to throw into the rivers, they ought also to be considered.

Mr. LEVER. If the gentleman will permit, the very next item takes care of that. We are furnishing the most comprehensive information for the first time in the history of the Government in that line, even making use of the telegraph.

Mr. MOORE of Pennsylvania. Does the gentleman mean to say that that is the purpose of the next paragraph?

Mr. LEVER. Absolutely. It is to take care of the perishable products—tomatoes, cantaloupes, peaches, strawberries, and so forth.

Mr. MOORE of Pennsylvania. Then I renew all of the remarks that I made respecting the assiduity of our friends from the cotton States, and hail this first glimpse of information with respect to those farmers in other sections of the country who may sometimes suffer from weather or market conditions,

just as they do in the cotton fields. If it is true that the succeeding item carries \$136,000 for helping the tomato raiser, the potato raiser, or the truck raiser in States where farming is conducted in more congested areas, and where the product is more perishable than it is on the great cotton plantations, I shall be pleased.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. CANNON. I just want to ask the gentleman a short question. Now that you are going to have the potato raiser and the tomato raiser fixed, as well as the cotton raiser and the wheat raiser, what are you going to do with the balance of us?

Mr. LEVER. Oh, we will take care of all.

Mr. MOORE of Pennsylvania. I think every farmer ought to be treated alike. We have taken excellent care of the tobacco and the cotton farmer and it is time that the man who raises farm produce and truck have a chance.

Mr. SLOAN. Mr. Chairman, I note from the remarks of the gentleman from Pennsylvania [Mr. MOORE] that the tomato man has raised a new issue. Seeing the abuse in the expenditure of money for dredging rivers in the East, he proceeds to fill them up with the local tomatoes and then make the raid on the Treasury to dredge them out. [Laughter.]

The gentleman from Pennsylvania [Mr. MOORE] has criticized the opposition to the rivers and harbors with unsparing tongue in both prose and rhyme. He has at least uncovered one reason for dredging his Delaware. That is to remove the tomato deposit.

I opposed the river and harbor bill, first, because it called for \$39,608,410 appropriations at a time when we did not have that amount of free legal-tender money in the National Treasury. Second, while I favor reasonable appropriations for public improvements which are capable of standing on their own merits, I do not favor increasing the floating indebtedness or resorting to bonded indebtedness of the Government for that purpose. Roundly speaking, we have a deficit of \$50,000,000 for the present fiscal year and a much greater one for the last fiscal year. Third, I opposed a large portion of the proposed appropriations because it is to be used in fitting up harbors for the landing of large amounts of foreign goods, especially farm products, the foreign importer not being charged even a cent to keep up the harbor repairs, say nothing about contributing to the support of the Government or protecting American industries. Fourth, a large part of the appropriations are for canals which parallel the ocean and at no great distance therefrom. If a double water track were desired, why not parallel the shore line out a little farther in the sea, the path being already made and would need no dredging. Fifth, much of the appropriations are for obliterated creeks in the Carolinas, streams of doubt in the Gulf States, and lost rivers in Texas. Again, there are mountain streams in the Rockies which ought to be insured against forest fires, instead of being expensively dredged, and again there are dry canyons in the far West which are flushed only by summer's dews and the melting frosts of autumn. These last are capable of navigation by airships only, and yet the appropriations are provided for. In many of these cases the appropriations are defensible on a basis not of their merits but on the sole ground that each is the part of a house of cards, and is no less meritorious than many of the rest. [Applause.]

I was very much interested, Mr. Chairman, in the discussion of this market office and the appropriation to be made for its maintenance. I desire to talk about the cattle-feeding industry. It was discussed by a number in general debate when this bill came up for consideration, especially by my colleagues from Nebraska, STEPHENS and REAVIS.

I speak of this subject with some degree of personal knowledge. For a number of years I have been engaged, until within the last three, rather extensively in the business. It was stated on the floor of the House by one Member and agreed to by others that the cattle-feeding and meat-producing industry in this country was in a very bad way. Further, that the cattle feeders were losing money. As a general proposition, it was the conclusion of the speakers that there has, in the last few years, been an elimination of competition at the great central markets where fat cattle are sold for slaughter. The second proposition is that during the last year thousands of American feeders have become bankrupt. Now, I am not certain about the latter fact, but I accept the statements made as being correct for the purpose of this discussion.

Now, these conditions are not unexpected, because during the last five years the trend of legislation here in reference to the cattle and meat industry had its purpose to bring about this precise condition. For five years there has been an incessant clamor for a reduction of prices of cattle meat products. Begin-

ning with the reciprocity measure passed by this House in 1911 and followed by the farmers' free-list bill, which, as passed by this House, admitted meats and cereals free into this country, and ending in the Underwood tariff law, which placed live stock and meats on the free list, the one purpose has been, as I have on several occasions expressed upon this floor, to reduce the profits of the cattle and meat industry.

There may have been some on this floor and in the country who believed that when this reduction of profits came it would not fall upon the farmer and the cattle feeder. But anyone who understood the business and understood the power of the packers knew that if there was to be any loss it would not fall on the packer, but would fall upon the cattle feeders and the farmers. Now, then, it has fallen, as stated by a number of gentlemen. Personally I expected that it would. Frequently upon the floor of this House I warned those who were interested in cattle feeding throughout the country that the placing of meats and live stock upon the free list would create a condition in which the farmer would be at a disadvantage; and that is where we now find him. It is a case of distinct confession from the Democratic side of the House that what we on this side warned the country would follow their legislation has actually come to pass.

In the first place, when by the imposition of a good, strong duty at our ports there were some cattle imported and very little meats, every man who had a herd of cattle or a flock of mutton sheep could fairly estimate the consuming power of the American people and the productive power of the American farmer and cattleman.

Mr. DOOLITTLE. Will the gentleman yield?

Mr. SLOAN. Yes; briefly.

Mr. DOOLITTLE. Does the gentleman believe that the price paid for food cattle or hogs is controlled by the law of supply and demand?

Mr. SLOAN. I understand that that is the large rule in all markets. But some people have a good deal to do with the control of supply and demand. That is to say, if our dealings in cattle and meats were confined practically to the United States—that is, one-fifteenth of the population of the world—and the outside practically kept from mingling largely with our business, then, of course, we could know more certainly the demand and the sources of our supply, and we could govern ourselves accordingly.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. LONGWORTH. Mr. Chairman, I ask that the gentleman proceed for five minutes.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in 20 minutes.

Mr. SLOAN. I thank the gentleman from Ohio [Mr. LONGWORTH] for his request.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 45 minutes, the gentleman from Nebraska [Mr. SLOAN] to have 10 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and amendments thereto close in 45 minutes. Is there objection? [After a pause.] The Chair hears none. The gentleman from Nebraska [Mr. SLOAN] is recognized for 10 minutes.

Mr. HUMPHREY of Washington. Will the gentleman from Nebraska yield?

Mr. SLOAN. For just one question. What is it?

Mr. HUMPHREY of Washington. The other day when your colleague from Nebraska [Mr. STEPHENS] was talking upon this subject he made quite a remarkable speech, and, as I understood him, he made the statement that the removal of the tariff on meat had not made any difference whatever in the price. If that is so, what has been accomplished by the removal of it?

Mr. SLOAN. Of course, the expressed purpose of removing the tariff on cattle and meats was to cause a lowering of price; because if that was not the case there has been absolutely no reason for throwing away \$20,000,000 of revenue. That would have been the amount of duties paid on the imported cattle, beef, and veal since the Underwood tariff law passed if the Payne law duties had been collected. I assume if it was not for the purpose of affecting the price they would not be in favor of further depleting our Treasury. That will answer the gentleman's inquiry as to what was accomplished.

Mr. DOOLITTLE. Will the gentleman yield?

The CHAIRMAN. Will the gentleman from Nebraska yield to the gentleman from Kansas?

Mr. SLOAN. I desire to proceed, Mr. Chairman.

The CHAIRMAN. The gentleman from Nebraska refuses to yield.

Mr. SLOAN. The value, if any, of this law is a matter of information. It seems to be a means of "first aid to the injured," after the industry has been assailed, a sort of a crutch to be used where a bungling surgeon has sawed off the wrong leg. A man who has a carload of cattle must now consider not only the consumptive power of the 100,000,000 of American people, and the productive power of the few million people who are interested directly or indirectly in the production of meat, but he must know about the production of cattle and meats in every part of the globe. The packers have their systems of information complete. The small cattle feeder can not afford that. The freeing of meats and cattle therefore gave the great packers a distinct advantage. The ordinary American can through various governmental and public reports inform himself as to the United States, but he has not means of world information which free meat makes necessary.

Free listing cattle and meat has broadened the problem of the meat producer. I say, in an entirely nonpartisan way, if it has so broadened the problem of the meat and cattle producer, then it is proper that we should have an appropriation of this character, so that the new and different methods of communication concerning markets, information concerning markets, the distribution of cattle, the importation of meats, and all that may become known regularly to those whose problem it is to buy, feed, and market the cattle.

Mr. BOOHER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Nebraska yield to the gentleman from Missouri?

Mr. BOOHER. Just for one question.

Mr. SLOAN. Yes; I will yield for a question.

Mr. BOOHER. Will the gentleman tell the committee whether beef on foot to-day brings a higher price than it did two years ago?

Mr. SLOAN. I understand that beef on the foot to-day commands a fair price. I have not compared it with the price of two years ago.

Mr. BOOHER. That was not the question. Is not beef higher to-day on foot per hundredweight than it was two or three or four years ago?

Mr. SLOAN. I can not state just what it has been. The complaint has not been as to the price of beef to-day or last week or last month. I understand it is temporarily satisfactory. The complaint has been as to the price of beef during the months of October, December, and January. Following and based upon that period complaints have been made.

Mr. BOOHER. There was a slump during those months in the past, and then the price got back higher than it was before the slump.

Mr. SLOAN. The price is now back to a satisfactory level, and I want to explain why it is so.

Mr. BOOHER. Is not the main problem of the cattle feeder the high price of stock cattle?

Mr. SLOAN. I want to be frank with the gentleman from Missouri, who comes from a district having a great market. That, I understand, is one of the large sources of loss—the high price of feeders. It was one of the reasons which prompted me to advise my friends last fall against extending their cattle feeding.

Mr. BOOHER. Yes.

Mr. SLOAN. And the reason for it has been this: Heretofore the American feeder has been in the habit of buying his feeders based upon the number of cattle produced in the United States, but now he is up against the number of cattle that are produced and may or may not come across our border entirely unhampered by tariff restrictions.

Mr. BOOHER. Will the gentleman permit just one more question?

Mr. SLOAN. Yes.

Mr. BOOHER. Can the gentleman tell this committee how many stock cattle have been imported into the United States in one year since the passage of the Underwood bill; and if so, whether it is greater now, since the passage of the Underwood bill, than it was under the Dingley Act or the Payne bill? I mean stock cattle.

Mr. SLOAN. The increases have been stock cattle, and those fattened and ready for slaughter. The precise figures of what were stock cattle and what were not I can not state; they are not readily obtainable. But in the first two years after the passage of the Underwood law there were imported into this country 1,321,293 head of cattle, whereas in the two years preceding that the number was only 853,298. It was stated on the floor of the House, in discussing this question, that the importations of cattle for the last period of a year or a few months had been very small.

Mr. BOOHER. Will the gentleman just let me ask him one more question on that?

Mr. SLOAN. Yes.

Mr. BOOHER. Notwithstanding that importation of cattle, stock cattle are higher, and have been for the last two years, than ever before, have they not?

Mr. SLOAN. Farmers have paid too highly for their stock cattle. That is one argument in favor of this appropriation, and I stand for it. A great many feeders, forecasting the market for their products, did not take into account the heavy importation of veal and beef which the packers, now owning so heavily in the Argentine, can ship in or withhold at their convenience.

Mr. BOOHER. Notwithstanding this large increase of importation, stock cattle have been higher than they ever were before in the history of the country.

Mr. SLOAN. During the period of two and one-half years since the passage of the Underwood law stock cattle have been at times very high. They have fluctuated with other cattle. The feeder has not in buying them considered sufficiently the changed conditions which free trade has caused.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. HAUGEN. Is it not a fact that at times they have been very low; that is, last October, November, and December? Is it not a fact that the price of stock cattle was then lower than it was the year before?

Mr. BOOHER. Mr. Chairman, will the gentleman yield again there?

Mr. HAUGEN. And is it not a fact that—

Mr. SLOAN. I can not yield further, Mr. Chairman.

The CHAIRMAN. The gentleman declines to yield.

Mr. SLOAN. I want to call attention to what it has been for the last several months, at a period when it was stated that we have not been importing cattle in large numbers. For the months of August, September, October, and November, the period for the importation of cattle, which most largely contributed to the slump in the price of cattle for the late fall and early winter, we imported into this country 252,348 head of cattle.

Mr. DOOLITTLE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. SLOAN. I can not yield until I get these figures stated. Then, if I have time, I shall be pleased to yield. That is a larger importation of cattle for those four months than was ever made in a corresponding period in the history of the United States. For the months of October, November, and December of the year 1915, and the month of January, 1916, we imported 200,976 head of cattle, of the value of \$7,370,000. In the same months we imported 49,804,643 pounds of beef and veal, of the value of \$4,000,000.

Now, these figures to me demonstrate the fact that you introduce into cattle feeding and into meat production the large world factor which ordinarily is not communicated to the ordinary farmer or feeder, he having been used to considering the consumptive and productive power of this country alone. Now, if the Department of Agriculture can in any way further enlighten the men who are in this business, and whose business is important, I am very much in favor of the appropriation.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield to a very brief question?

Mr. SLOAN. If it is very brief; yes.

Mr. LONGWORTH. Does the gentleman believe that the acquisition and diffusion among the people of the United States of useful information on the subject of marketing and distributing farm products and the purchasing of farm supplies will have a tendency to raise or lower the price of cattle on the hoof?

Mr. SLOAN. I feel that the gentleman from Ohio did not live up to his pledge of making the question real brief.

Mr. GOOD. The word "brief" was used in the sense of a lawyer's brief. [Laughter.]

Mr. LONGWORTH. I made it as brief as possible, if the gentleman will excuse me, in order to obtain the enlightenment.

Mr. SLOAN. Well, the gentleman's sort of brevity would not be considered characteristic of the better class of wit. [Laughter.]

The diffusion of this information will, to some extent, inform the cattle feeder so that he may more advisedly buy his feeders and suggest when he may dispose of his finished product.

Mr. DOOLITTLE. Mr. Chairman, I have listened to the remarks of my good friend from Nebraska [Mr. SLOAN] on what he considers to be the cause of the unsatisfactory market for live stock. In my opinion, gentlemen of the committee, he has not even touched on the real trouble. The gentleman refused to yield for my question, which was his perfect right. I wanted to

ask him if he thought that the packing combine of this country had anything to do with the fixing of prices.

Mr. SLOAN. Will the gentleman yield for a reply, as a matter of fairness? I yielded to him, but I could not yield too often.

Mr. DOOLITTLE. I yield to the gentleman.

Mr. SLOAN. If that was the gentleman's question, I had already answered it, because it was stated on the floor, as I said, that the packers in the great centers had eliminated competition, and I accepted that statement as correct, and the packers do that.

Mr. DOOLITTLE. Then I understand the gentleman to admit that the packers do have a great and material influence on the prices?

Mr. SLOAN. I not only admit it, I assert it. [Applause.]

Mr. DOOLITTLE. I am gratified at that. Now, Mr. Chairman, what my friend has said about high prices for thin cattle, what we call stockers and feeders, is in a great degree true. That is, if he has said, as I understand he has, or at least intimated, that the price of thin cattle has been too high in proportion to the price paid for fat stock cattle in particular by the packers, that is true. But the laws of supply and demand have not been permitted to work out in a normal way. I want to cite a specific instance regarding the hog market. On October 20 and October 21, 1915, there was a violent fluctuation downward of \$1.25 a hundred pounds. Some power manipulates the market. There are five big packing concerns in this country that control at least 68 per cent of the beef, mutton, and pork, and they fix the market price they pay and set the price to the consuming public also. Hearings have been held and are now in progress on a resolution to look into the whole economic proposition of supply and demand from the time the animal is born until it goes to the consumer. It has been shown by cattlemen from all over the country that the complaint of the feeders of live stock, who have been the losers, has not been a complaint against the tariff or a complaint against the stock breeders, but their complaint is almost entirely against the packer. [Applause.]

Mr. CLINE. May I ask the gentleman a question?

Mr. DOOLITTLE. Yes; I yield to the gentleman from Indiana.

Mr. CLINE. It has been stated by the ranking member of the committee that prices were lower in October, November, and December, 1915, and in January following than they had been at any other time. I will ask the gentleman if it is not true that the entire market was demoralized by the foot-and-mouth disease, and prices declined as much as \$2 a hundred in the central markets of the United States, and if that condition was not taken advantage of by the packers themselves to pound the price down and squeeze the price of the producer and advance the price to the consumer?

Mr. DOOLITTLE. There is no question that the foot-and-mouth disease did have considerable to do with the demoralization of the market last fall, and the packers never overlook an opportunity to squeeze the producer and the consumer. [Applause.]

Mr. SUMNERS. Mr. Chairman, we have here an illustration of the effort of some of our friends on the other side of the Chamber to attribute to the tariff all the ills that this country is heir to. Now, this is the situation. The feeders of the United States come to the Committee on Agriculture and tell it that prices are not satisfactory; that they are losing money. The Committee on Agriculture engages in an investigation looking to the discovery of the cause of this condition. That item is now under consideration. The gentleman from Nebraska [Mr. SLOAN] in his discussion of this matter wants the country to understand that the reason why the farmers and the feeders are not getting satisfactory prices is because of the Underwood tariff bill. That is the whole burden of his argument. The gentleman from Nebraska knows that there never was a time when meat was higher, and that the trouble is that between the man who has the stock to sell and the man who must buy the meat there is too much profit for the packers. The man who puts his grain and feed into beef cattle and hogs does not get a fair return for what he is putting into them, and yet the price of beef and pork would justify that return. There is no difficulty here with regard to the tariff. The tariff has not been effective during the European war. The tariff has not beaten down the price of stockers, has it? The tariff has not beaten down the price of beef, has it? No. The trouble is between the stocker and the beef—the great packing concerns of this country have been standing there squeezing both the man who feeds and the people who consume. [Applause.] The Committee on Agriculture, honestly undertaking in a constructive way to discover the difficulty and to meet it, recommends appropriations in this bill to be used for this purpose, and the gentleman from Nebraska [Mr. SLOAN] wants the country to understand that the Com-

mittee on Agriculture are not on the right trail; that it is the Underwood tariff law. The gentleman from Nebraska [Mr. SLOAN] says he admitted—I did not hear his admission in his original statement, though I do not question that he made it—he did admit under questioning that the packing concerns are getting too much; but when he stood before this House and made his argument it was for the deliberate purpose of making the country believe that it was the Underwood tariff bill that was responsible. He made the deliberate effort to distract attention from the packing concerns, that are throttling the feeders of cattle and the men who eat meat products in this country by pointing the finger of accusation at the Underwood tariff bill. That is a fair sample of Republican statesmanship. [Applause.]

Mr. HAUGEN. Mr. Chairman, the gentleman from Texas [Mr. BLACK] has asked the question, Did the tariff affect the price of cattle? I believe it is safe to say that up to the outbreak of the war the tariff did affect the price of cattle.

Mr. DOOLITTLE. Affect it up or down?

Mr. HAUGEN. Down.

Mr. SUMNERS. Will the gentleman yield?

Mr. HAUGEN. I will make my statement, and then I will yield to the gentleman. As the gentleman remembers, the Underwood bill was passed for the purpose of reducing prices to the consumer in conformity with the declaration in the platform of the Democratic Party to aid the consumer in buying at a lower price. In order to carry out the Democratic policy the President sent Dr. Melvin to South America to make it easier for them to export cattle to this country, and to provide for regulations making it possible for the people of South America to export beef cattle to America. They got along swimmingly, and the live-stock producers of this country were on the highway to bankruptcy. But war broke out and the program was interfered with. As a result the shipments were then diverted from the United States to the war zone, and since that time the price of stock here has been fairly satisfactory.

Mr. DOOLITTLE. Will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. DOOLITTLE. Does not the gentleman realize that during the time of the diversion of shipments, in 1915, that the live-stock market of the United States was in a most demoralized condition, more so than it ever had been?

Mr. HAUGEN. It was just as I have stated. The Underwood bill was in force, which encouraged shipments from South America exactly the same as was done in the shipment of grain. The gentleman will remember that corn costing 40 cents in Argentina was worth 80 cents a bushel in Chicago, but it was laid down here on the coast from Argentina for 50 cents a bushel. Corn finally moved along up to Chicago, with 10 cents freight added, and the price of corn went down owing to the importations from South America. Exactly the same thing happened with reference to Argentine beef. It could be laid down here at a much lower price than beef was selling for here at the time; hence a considerable amount of South American beef was sold, but the war interfered with the shipments. As a result the shipments were diverted from the United States to the war zone. With the present conditions, of course the tariff law does not affect this country or any other.

Mr. DOOLITTLE. Let me see if I understand the gentleman's statement. It is that because of the diversion of shipments of beef from Argentina the prices which had prevailed in 1915 became better?

Mr. HAUGEN. After the war started; certainly.

Mr. DOOLITTLE. Because of the diversion of the shipments from Argentina; is that the gentleman's argument?

Mr. HAUGEN. Yes; to other countries, because of the increased demand for beef on account of the war.

Mr. SUMNERS. Will the gentleman yield?

Mr. HAUGEN. I will.

Mr. SUMNERS. Does the gentleman state that the price of cattle is satisfactory, and does he mean fat cattle?

Mr. HAUGEN. The price is not satisfactory, but the dissatisfaction coming from feeders and cattlemen to-day is not because of the tariff act. The dissatisfaction comes from the manipulation of prices by the packers. [Applause.] We might as well be honest about this. The gentleman has referred to the foot-and-mouth disease. What happened? As the gentleman knows, the cattle coming from the quarantine districts were sent to the restricted districts, which the packers took advantage of to the extent of \$2 to \$2.50 a hundred. [Applause.]

The unfortunate thing is that many believe that Government officials are in a large degree responsible, not only in their failure to promptly stamp out the foot-and-mouth disease, but for prolonged quarantines and restricted districts, which largely accounts for the widespread opposition throughout the country to

the department and which has evidently provoked so much discussion on the foot-and-mouth item.

Mr. MOSS of Indiana. Mr. Chairman, I do not wish to inject any politics into this discussion. The facts, however, ought to be clearly stated. I deny that cattle feeders in the United States are not making money under present conditions, and I do not believe that the big packers control prices of fat cattle in the sense that there is no effective competition among buyers at the yards. I arrive at these conclusions by my own experience as a cattle feeder and one who ships his cattle to Chicago and sells them year after year in that market. I do not always make money on a bunch of cattle; neither do I enjoy such pleasant experience in any other branch of my farming operations. I have had an experience covering more than a quarter of a century in handling feeding cattle in a modest way, and during that period, taken as a whole, the business has paid a satisfactory profit. This fact is conclusive proof to me that there is an open market for cattle and that it is possible to engage in this industry with confidence as to the financial returns.

The past two years have been unsatisfactory to the American stockman because of the prevalence of the foot-and-mouth disease. The quarantine measures which it was absolutely necessary to enforce worked hardships in many instances and demoralized the legitimate industry to a considerable degree. No discussion of this period will be fair which fails to make allowance for this abnormal disturbance. I fed cattle during this period and can speak from personal experience, but I am glad to say that even under such circumstances it was entirely possible to continue feeding and make a satisfactory profit.

In September, 1914, as I now recall it—perhaps in October of that year and shortly before the outbreak of the foot-and-mouth disease—I gave an order for 100 feeding cattle. This order was filled by Clay, Robinson & Co., in the Chicago yard, at an average price of \$7.70 per 100 pounds. I did not go in person to the yards to select these cattle and did not even place a price limit on the order. It may seem strange to those who talk so glibly about the Cattle Trust controlling prices that an Indiana farmer would trust his agents at Chicago to purchase cattle on their own judgment as to quality and price. I know of no more reliable men in the business world than the commission men who buy and sell cattle at these great markets. I have been buying feeding cattle since 1890, and the price in 1914 was the highest I have ever paid for feeding cattle. To those who wish to consult tariff schedules in order to determine the price of cattle I may say that in 1890 I recall purchasing good feeding cattle from my own neighbors at an average price of \$2.55 per hundred pounds.

These cattle were fed on the farm under the personal supervision of my nephew, Mr. Harry A. Moss, of Center Point, Ind. We began buying corn from our neighbors, paying 60 cents per bushel at the cribs in the fall of 1914, and gradually raising the price until we gave 74 cents per bushel for corn delivered at the feed lot in August, 1915. These prices were likewise the highest we have ever paid for corn, if the average for an entire year be taken. In the face of such a record, it sounds rather strange to hear an elaborate argument as to the disastrous effects of the Underwood tariff law on the price of farm products.

The first shipment of these cattle was made in July, 1915, to Chicago. It will be recalled that owing to the quarantine measures then in force Chicago was a closed market. Cattle could be shipped to that market only for immediate slaughter. These conditions gave the packers a monopoly of that market during the continuance of such restrictions. If it be the policy of the packers to rob farmers, they failed to avail themselves of the opportunity when our cattle were exposed for sale. The cattle sold for \$10 per hundred pounds, and made a satisfactory profit. This sale was made by the same commission men who purchased the cattle as feeders; and again I did not go to the market. Here, then, is an example under the most extreme conditions which can exist. A contagious disease breaks out among cattle, and all markets are subjected to the restrictions of a rigid quarantine. No competition to packers is possible under existing conditions; and yet cattle are sold at prices which made it possible to clear a satisfactory profit on feeding stock purchased at extremely high prices and fed costly feed stuffs.

The next shipment of these cattle was made in November, 1915, and the price realized was \$10.35 per hundred pounds. I am perfectly willing to put in the Record the cost items of the feeding of these cattle—what it cost to buy them in Chicago, freight, taxes, the price of the food they ate, and the selling price in Chicago—thereby conclusively showing that they realized a satisfactory profit.

Mr. DOOLITTLE. I wish the gentleman would put those facts in the RECORD.

Mr. HAUGEN. Will the gentleman yield?

Mr. MOSS of Indiana. Yes; to the gentleman from Iowa.

Mr. HAUGEN. Does the gentleman take issue with the feeders of the country? They say that they are feeding at a loss.

Mr. MOSS of Indiana. I am presenting the exact facts of one cattle feeder who did not lose money. I can not take issue with some imaginary gentlemen as to the results in their own business. If cattle feeders are generally losing money, and if they did lose money during the season of 1915, it is largely their own fault. I know of no business which demands higher skill than the feeding of cattle. It is a business which consumes large volumes of capital, and in which the profits largely depend upon the finish which is placed upon the cattle in the feed lots. There never has been a year that some men did not lose money feeding cattle and probably never will be one. The conditions never were more favorable to the cattle feeder than they are now. I have been feeding cattle since 1890. In that year we purchased cattle from our neighbors as low as \$2.55 per 100 pounds; and, as I say, in 1914 I paid \$7.70 a hundred.

The profit on any given lot of cattle depends upon many factors, chief among which are the cost price of feeders, the price of feed, the rate of gain, and the final selling price of the finished cattle. I have known cattle to lose money to their owner where every condition was favorable except the rate of gain. That is to say, a bunch of cattle may be purchased at a fair price; they may be fed at a fair cost; they may be shipped to a market where the ruling price for well-finished beefs of a good quality is satisfactory; and yet if the cattle have not done well in the feed lot the transaction may easily be a losing one for the owner of the cattle. I wish it were possible to establish conditions which would make all men skillful in all their undertakings. I wish it were possible to banish all failures on the farm and among farm operations, and if these ideal conditions shall be established, then I will advise all men to engage in the business of feeding cattle. Until then, however, only those who know the business of buying, feeding, and of selling cattle will be able to make profits, escape losses, and avoid controversies with an imaginary Cattle Trust at every market center.

The gentleman from Kansas [Mr. DOOLITTLE] believes that there is a Cattle Trust and that prices are arbitrarily fixed at the great market centers. I shall not attempt to discuss how the price level is fixed. I do not know, for instance, all the elements which controls the price of other articles on the daily markets. I have referred particularly to the first shipment of cattle in July which were sold to the packers because Chicago was then a closed market. It so happened that our second lot was exposed for sale immediately that the quarantine was raised so as to permit the shipping of live cattle from Chicago to the eastern cities. Now, what happened? These cattle were sold to shippers and were slaughtered in eastern cities because these buyers were willing to pay a higher price than the packers for the quality of cattle I had on the market that day. There was not only theoretical competition but there was active competition. There was effective competition.

Now, who set the price on the lot of cattle? I had the pleasure of being present when the sale was negotiated. Before the cattle had been exposed for sale, the commission man, the man who represented my interests and who was paid by me—the firm who has sold cattle for me for a quarter of a century—looked over the bunch and I asked him his opinion as to their value. "What will those cattle bring on to-day's market?" was the question I put to him. In reply he said, "Mr. Moss, I think we will make a top out of the bunch; I think I can get \$10.40 a hundred," and in less than an hour he sold them for \$10.35 a hundred. In other words, he guessed within 5 cents of what the cattle did sell for. Does that instance bear out the assertion that the packers control the price and fix the price levels? These cattle did sell for the extreme top that day. I was proud that I got the top of the market, because I had been trying to achieve that for 20 years. There is a great deal to this question of cattle feeding. It is one that requires experience; it requires money; it requires brains; and, finally, it requires good judgment. [Applause.]

[Mr. Moss of Indiana was granted leave to extend his remarks in the RECORD.]

Mr. MANN. Mr. Chairman, I know nothing about the cattle-feeding business. I have a brother who is one of the best-known farmers in the West. I said to him once, "Why in the world do you not feed cattle?" "Because," said he, "I have got too much sense. A man who makes money feeding cattle

must know that business from the bottom up, and I do not." That is the trouble with two-thirds of the cattle feeders.

Mr. Chairman, there is no business in the world that is done on so small a margin of profit as the packing business by the beef packers of the country. That is the reason they have the business. Last year Swift & Co. did a business of over \$400,000,000. That is more business, by a large amount, than the Government of the United States did through the Post Office Department, with a post office in every hamlet and city in the land. I do not now recall what the total profit was, but it was not a very large amount of profit to be made on a business of over \$400,000,000. I have no doubt the packers, who are human beings, very often do not pay as high a price as the seller would like to have them pay, but it is to the interest of the packers to continue their business, and hence it is to the interest of the packers to encourage the men who raise cattle by letting them make a profit. It is not to their interest to destroy the feeding business. The packers are doing more now to encourage the production of live stock in the country than we are, and we are doing something. I have heard gentleman after gentleman on the floor of the House abuse the packers because—well, I suppose to do so is popular in their districts; but what they say is based largely upon misinformation. I do not hold the packers out as angels any more than I hold the feeders out as angels, and I am not going to take more time, except to repeat that there is no large or small business in this country conducted on so small a margin of profit as is the packing business by the big packers.

Mr. ANDERSON. Mr. Chairman, I do not care to project myself into this tariff discussion, although I think it is true that the Underwood tariff law prior to the war in Europe did affect the price of cattle adversely, as it affected the price of corn adversely. We had before the Committee on Agriculture experts in the handling of corn—men who were specialists in the handling of corn—who testified that the reduction in the tariff on corn did result in a reduction in the price paid to the producer of corn in this country.

But, Mr. Chairman, I rose particularly to address myself to one phase of the work done under the appropriation which we are now discussing, and that is the proposition of marketing business practice. One of the difficulties with which the farmer is confronted in selling his grain or cattle is that he has no standard method, in fact no method at all, by which he can determine, as the manufacturer determines it, the cost of the different elements which enter into the production of the animal or the agricultural product. This bureau is undertaking to establish a method by which the farmer can determine the elements of cost in the production of any agricultural product which he produces. Doubtless many farmers are figuring these costs now, but the great bulk of the farmers are not figuring them. They have no way of determining whether the price they get represents a reasonable profit on the investment or not, and this is one of the great difficulties with which we are constantly confronted in our efforts to deal with the great problem of marketing. This office is designed to investigate this question and work out a system of cost accounting which can be applied by the farmer. This service goes much further than that. It has made an investigation into the methods of accounting in the country elevator, and has worked out a uniform system which has been adopted by more than 450 elevators in the country. The adoption of this system results in better service to the farmer, in his getting more nearly the value of his grain, the value of his product. This service is also investigating the commission business. It has established a uniform system of accounting in this business, a system which enables the shipper, the seller, who sells grain or delivers grain to the commission house on commission, to know absolutely that he is getting his part of the price paid by the purchaser. It enables the commission man to go back over his books and establish a large number of facts which are of interest and of value to him in determining whether he is running his business upon a profitable basis. This work, it seems to me, is of inestimable value not only to the farmer but to the man engaged directly in these several businesses. It ought to be continued. It will be continued under this appropriation and extended into other fields which enter into or have to do with the marketing of agricultural products.

[By unanimous consent, Mr. ANDERSON was granted leave to extend his remarks in the RECORD.]

Mr. SLOAN. Mr. Chairman, I trust the gentleman from Kansas [Mr. DOOLITTLE] will understand the force of my discussion of this matter. I do not say that the packers do not largely combine and thereby control prices. That has been a

matter of discussion in this House for four or five years. Those who have said that we should take the duties off cattle and meats were met by our direct statement on the floor of the House here that they would thereby place the whole matter within the control of the packers throughout the country. What is complained of now is simply what has been prophesied by us on this side of the House for five years. I want to read what the Association of Cattle Feeders of Nebraska have concluded upon this:

Whereas the placing of live stock and meats on the free list has resulted in increasing the control of the large slaughterers over the prices paid for live stock in the country, and when normal conditions are restored it is likely there will be large importations of foreign meats, which will greatly depreciate prices in our home market.

My contention has always been that if the duties were removed the grip of the packers, which was pretty strong some years ago, would be made absolute. It seems from the speeches made here to be absolute now. For that reason during the last two or three years, when consulted by cattle feeders in my district, and especially last year, I have advised them it was not a good time to go into the cattle-feeding business or to increase their investment. For that reason, believing, as I did, in the doctrine which I have talked on the floor of this House during the five years I have been a Member, I have during the last three years suspended the cattle-feeding business, because I believed it would not be profitable.

The changed condition of affairs has tightened the grip of the great packers, just as the Nebraska cattle feeders have contended, and it being so tightened and we having to compete with the world for the home market, the greatest and best market of the world, the best meat-eating community in the world, not knowing about world production or world markets, we are at a disadvantage. For these reasons I am in favor, as I said before, of this appropriation, that it may to some extent alleviate the condition of these men engaged in this important industry. But this can only be palliative. The real treatment will be given when a protective tariff will be restored on cattle, beef, and veal, as well as other farm products now placed by the Underwood law on the free list.

But that is referred to the broad forum of the American electorate, the determination of which from recent events leaves little room for doubt. [Applause.]

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

[By unanimous consent, leave was granted to Mr. SLOAN to extend his remarks in the RECORD.]

Mr. RUBEY. Mr. Chairman, I usually agree with my good friend from Nebraska [Mr. SLOAN] when we are discussing agricultural matters, and I am indeed glad that this discussion, which has lasted now for 40 minutes, has been had here to-day. The gentleman started out with the proposition that the tariff was the cause of all the trouble, but at last, after this discussion, he has seen the light and now acknowledges that the packers of the country are in absolute control of the live-stock market. [Applause.]

The live-stock product of the country is the largest single product that comes from the farm, amounting to over \$5,000,000,000 annually. Here is another peculiar situation: The bulk of the meat-eating population of the country is located in the eastern part of the United States, while the meat-producing population of the country lies west of the Mississippi River, hence the great centers through which the meat products go to market are necessarily in the Middle West. We have in this country to-day about 35 or 36 great central live-stock markets. I say, and I say it without fear of successful contradiction, that in each and every one of those central markets the great packing concerns are in absolute control of the markets, fix prices, and regulate them at will. Why, they tell me that if you go to market with a load of stock you will stand around there in the morning until 10 o'clock, till finally a representative of one packing concern will come down to your pen, look over your cattle, and make you a bid on them, and you can get one bid and only one bid, and that, too, from only one concern, and you are forced to take what you are offered. If, perchance, a shipper has his cattle at Kansas City, he decides that he can not get enough for them, he concludes that he will ship them on to Chicago. He reships his cattle to Chicago, but news of his reshipment with a full description of the cattle has gone on to Chicago long before he ever gets there, and the bid that he receives on the cattle in Chicago is less than that which he received on those cattle the day before at the Kansas City market.

Mr. GOOD. Will the gentleman yield?

Mr. RUBEY. I will.

Mr. GOOD. What effort has been made by this administration to prosecute this illegal combination of which you are talking?

Mr. RUBEY. I will say to the gentleman that the Secretary of Agriculture, Mr. Houston, called a meeting at Chicago last fall, and there were at that meeting representatives of every department of the live-stock industry—producers, consumers, packers, including the railroad people, who carry the live stock to market—in fact, every possible interest that has to do with the production and marketing of the live stock of the country was there represented.

Mr. GOOD. Except the Department of Justice, and that seemed to be asleep.

Mr. DOOLITTLE. I will answer the gentleman's question, if he will permit.

Mr. RUBEY. I will say further to the gentleman that we have a resolution introduced into this House and now pending before the Committee on the Judiciary. Extensive hearings have been held, and are being held, for the purpose of referring this whole matter to the Trades Commission, in order that it may be thoroughly investigated by that body, that proper steps may be taken to correct this great evil.

Mr. GOOD. Will the gentleman yield further?

Mr. RUBEY. I will.

Mr. GOOD. Three years ago, before the subcommittee on the legislative, executive, and judicial appropriation bill, the gentleman who is now at the head of this Trade Commission appeared and ridiculed the former administration for its attempt to dissolve the Meat Trust, and said, "Wait until we get at it, and we will dissolve it." You have not brought a single suit.

Mr. RUBEY. Will the gentleman tell me how long that commission has been in existence?

Mr. GOOD. He was in the Department of Justice at that time.

Mr. RUBEY. How long has the Trade Commission been in existence?

Mr. GOOD. It had not been created at the time he testified. He was going to dissolve the Meat Trust through the Department of Justice.

The CHAIRMAN. All time has expired. Without objection, the pro forma amendment will be withdrawn.

Mr. RUBEY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

For collecting and distributing, by telegraph, mail, and otherwise, timely information on the supply, commercial movement, disposition, and market prices of fruits and vegetables, \$136,600.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. I believe this item provides for a new activity of the Government for work that has never heretofore been done by the Agricultural Department or any other department on such an extensive scale that is proposed under this pending paragraph.

Mr. LEVER. If the gentleman will permit, his statement, qualified by "on not so extensive a scale," is correct; but during the last year, under another item of this bill, between \$30,000 and \$40,000 was spent in doing this character of work. But this is the first time it has been set out in the bill.

Mr. STAFFORD. Mr. Chairman, I do not question but that the Agricultural Committee appropriated funds under general appropriations for this character of work last year, but never before has it been directly authorized by Congress. I wish to call the attention of this committee to the extreme to which we are proposing to go if we adopt this proposition as carried in this bill. It is proposed to have highly paid experts here in Washington who are acquainted with market conditions on the strawberry crop, the peach crop, the cantaloupe crop, and the tomato crop, and send out to the shipping centers of the country daily telegraphic reports as to the number of carloads of these perishable commodities that have been assigned to the respective markets of the country. This gentleman, Mr. Sherman, came before the committee. He was formerly connected with the Civil Service Commission and apparently has a hobby which he desires to have adopted by the Government. When asked on more than one occasion in the hearings as to what the total cost of this experiment would be, he dodged the question, but stated that we could get along in some way this coming year in experimental work with \$136,600.

If you will read the testimony, which covers some 20 pages or more, you can not escape the conclusion that if this policy is carried out to a logical extreme it will involve the Government ultimately in an expenditure of \$2,000,000 or \$3,000,000, or maybe \$5,000,000.

The question before the committee is whether this information will have any value whatever to the producers or to the consuming public of the country. I claim that this method of obtaining information by telegraph from all parts of the country daily, having it forwarded here to the department headquarters and then send it out to the respective market centers, is a function not for the Government but a function for the business concerns involved, and that that information can be obtained without this extravagant expenditure by those producers and by those commission merchants from the daily press. The growers of strawberries in the country tributary to the district that I have the honor to represent know exactly the market conditions prevailing in the Chicago and Milwaukee markets to which they send their supplies. It is not necessary for them to be advised daily by telegraphic reports from the department here at Washington. The peach growers of Maryland and Delaware know the market conditions as to peaches in the Philadelphia and New York markets daily from the Philadelphia and New York newspapers without having this expensive adjunct established here in a department of the Government.

Reading the hearings you can only come to one conclusion, and that is that this is more for the interests of the commission merchants than for the interests of the producers. True, there is testimony presented that the work of the past year has been of value to those shippers. Of course it has been of value. Of course these private shippers will receive information free from the Government if the Government wishes to furnish it; but the question is whether it is a proper governmental function. Here with respect to the cotton crop and with respect to the tobacco crop, through our census officials, we are furnishing to the producer quarterly and monthly returns as to those products for the benefit of the producers; but here you propose by telegraph—the expensive agency of the telegraph—to furnish daily reports to the commission merchants for their own private gain, to the end that they may know whether a number of cars en route from the various shipping centers have been dispatched to some other center, so that they may know just the quantity of supplies that may be en route on the day before.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. CAMPBELL. Mr. Chairman, it is doubtful if this item will cure the trouble that it seeks to reach. The matter of marketing perishable products is not a question of ascertaining the market price at the market the day the products are ready to be sent out. The trouble is in finding transportation facilities that are ready and fast. Tons of perishable products rot on the vines and in the fields every year within a few miles of people who are anxious and able to buy them but who have not the opportunity, because the transportation facilities are not provided.

I have recently given this matter much consideration. A very large section of country in the district that I have the honor to represent grows berries and other perishable products. We are within easy reach of a splendid market. Our berries, our tomatoes, our peaches, in large measure, waste, because of their perishable nature, for want of a way to reach the market where the people really want them. I doubt very seriously if this \$136,000 would result in a dollar's benefit to the producers of perishable products.

If the Interstate Commerce Commission and State railroad commissions will require the railroads to put fast trains on out of the producing districts during the season in which perishable products are produced, reaching the market at a marketable hour, something worth while will be done for the producers and consumers of these perishable farm products. The prices are generally very well understood.

There is another thing in addition to reaching the market. The producer, the farmer, the truckman, is very largely at the mercy of the commission merchant at the market end of the line.

Mr. BAILEY. Mr. Chairman, will the gentleman yield at that point?

Mr. CAMPBELL. Yes.

Mr. BAILEY. Is it true that the market is steadied often now by the destruction of the products?

Mr. CAMPBELL. Yes. If I had time I would go into that. But I have no doubt that some commission merchants to whom I have just referred let shipments waste rather than sell them at fair prices to consumers and that other merchants might put upon the market in this way similar products which are sold to a few at a high price, and the result is an absolute loss to the producer of similar products wasted.

Mr. BAILEY. I will say to the gentleman that I have seen the Chicago River running red with strawberries at a time when they were selling at the rate of two boxes for a quarter. I do

not know whether that is still the practice, but I have also seen the Chicago River running full of peaches in order to steady the market.

Mr. CAMPBELL. I have seen berries and vegetables of all kinds rot upon the ground on which they were grown because there was no way by which they could be gotten to market and because the producer was afraid to send them to the commission merchants on account of the manner in which they had been treated on other occasions by the commission merchants.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. LEVER. Mr. Chairman, I would like to have a limit set upon the debate, if I may, pending the decision by the Chair on the point of order.

Mr. HAUGEN. Mr. Chairman, I suggest that we go on with this debate for a few minutes. Then we can try to reach an agreement. I think there are a number of Members who desire to be heard. I would like to have a few minutes myself.

Mr. LEVER. In a matter of this importance, I think it is always better to know what the limit of time is.

Mr. HAUGEN. I think we had better go on, and later we may reach an agreement.

Mr. LEVER. I suggest we close debate in 45 minutes.

Mr. HAUGEN. I think we could save time by going along, say, for 20 minutes, and then we could see.

Mr. LEVER. I do think it would be a waste of time, if the point of order is to be sustained. I do not, however, think the item is subject to a point of order myself.

Mr. HELGESEN. I do not think they will make the point of order if they understand the situation.

Mr. MANN. I was in hopes I might persuade the gentleman not to make a point of order.

Mr. LEVER. Very well, we will jog along.

Mr. FOSTER. Mr. Chairman, the farmer and the fruit grower and the truck grower are first interested in producing a crop. After the crop is produced and ready to go on the market the farmer is then interested as to where he can send his product to market to the best advantage to himself.

There are certain elements that enter into this matter. Transportation is one of them and a proper place to sell that product when it gets to market, wherever that may be. Many times, as has been said here, the farmer, the fruit grower, and the truck grower sends his produce to a market and finds that the market is full and that there is no demand that gives him any remuneration for what he has put upon the market. Many times the price of this produce by the time it reaches the consumer has been doubled or trebled in value, and the consumer gets no advantage in price as a result. He is compelled to pay this high price, but the producer does not get it. It has been shown, I think, by men who have made a particular study of this subject that in many instances a product for which the producer received \$1 costs probably four times as much by the time it reaches the consumer. One great difficulty is that these products pass through so many hands, and each one must make a profit, and so the consumer pays a high price, of which the producer does not get any part. We hear a great deal of talk about going back to the farm. Many have lectured and written in favor of keeping the boy on the farm; yet unless we can show the boy on the farm that he is going to get something out of the prosperity of the country, it is no use to talk about keeping him there. He is not on the farm for fun. Working on the farm is not a funny business, as any man knows who has ever tried it.

I believe this Bureau of Markets is one of the best things that has ever been established in the Agricultural Department. I do not know as to this particular proposition whether it will be of so much benefit or not, but it seems to me that with a production of more than \$8,000,000,000 a year upon the farms of this country we can afford an appropriation of \$136,000, or whatever amount may be necessary, to give the farmer the information as to the conditions of markets throughout the land, and I believe it will prove of benefit to him.

Mr. CAMPBELL. Will the gentleman yield for a suggestion?

Mr. FOSTER. Yes.

Mr. CAMPBELL. Would it not be more profitable to the producer and also to the consumer if the condition of the market were sent out to the producer?

Mr. FOSTER. Why, certainly; there is no question about that. Many times the producers of strawberries—a very perishable product—send them to Chicago or some other market, and by the time they get there the market is glutted, so that the strawberries will not pay the transportation charges. We raise a good many strawberries in southern Illinois, and they go largely on the Chicago market, possibly because it is more convenient to us than any other market. Many times I have heard men say that they have sent these strawberries to the market

and they have had the commission man return them a bill for charges. I heard this story down there, that a man sent some produce to the market, and the commission man sent him a bill for transportation to Chicago. All the man could do was to say, "I will send you some more produce to pay the charges that you have incurred for me." [Laughter.] That is a deplorable condition, and there is no use to talk about keeping boys on the farm in this country as long as that condition continues.

Mr. GOOD. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. GOOD. The gentleman has said that only \$136,600 is appropriated for this purpose; but if he will look at the item preceding he will find that we have already appropriated \$285,000 for acquiring and diffusing useful information on subjects connected with the marketing and distributing of farm and nonmanufactured food products, and so forth.

Mr. FOSTER. Yes; I know that. I am speaking particularly of this amount, on which the point of order was reserved. We talk about increasing the production of this country and increasing the remuneration of the farmer, and yet only about 2 per cent of the appropriations of this Government are for agriculture, while we pay large amounts for other things that possibly would not do the good that is done for the farmer. [Applause.]

Mr. ANDERSON. I yield to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, I could not qualify as a market expert. I am not certain but that I might possibly, by a stretch of imagination, be able to qualify as a legislative expert.

A few years ago the proposition was made to provide for information concerning the marketing of certain farm products. A bill was introduced in the House and a bill was introduced in the Senate. I am not sure now just what became of those bills. My recollection is that the Senate passed its bill. I am not sure.

Mr. LEVER. I think the gentleman is mistaken. This item in this appropriation bill is really—

Mr. MANN. I will come to that. My recollection still is that the Senate passed its bill. I may be mistaken about it. I know that I made a very careful canvass of the matter in the House and Senate and discovered that, in my opinion, there was more than a two-thirds majority in both bodies, which would pass the bill.

That bill provided for very large machinery to begin with, practically for the furnishing of all kinds of information to everybody who had anything to sell. I thought it was not wise to do it all at once, and that it would be better to have a provision in the Agricultural appropriation bill, where we could go at it somewhat gradually, where we would have better control over it. I believe the Senate inserted in the Agricultural bill, or perhaps we did—the gentleman from South Carolina [Mr. LEVER] can inform me—an appropriation in reference to marketing, and the appropriation was finally agreed upon.

Mr. LEVER. I will say to the gentleman that the Agricultural Committee reported out an appropriation of \$50,000, which was agreed to in the House and Senate also.

Mr. MANN. That is correct. That was reported as a sort of compromise between those who were opposed to anything of the sort and those who were in favor of the original bill. That, in my opinion, was the proper way to get at it. Now, so far this appropriation has been increased. Here is another proposed increase, not an exorbitant sum, not enough to furnish information to everybody who has everything to sell, and we have not reached the point yet where we can do that. It is still experimental. It is a good deal wiser to make it as an experimental proposition, to see what it amounts to, than it is to enact it into positive legislation and create a bureau by statute with such power that it must inevitably in a few years cost millions of dollars, whether it is worth anything or not—because we can not stop those things.

Now, here is a proposition to test out what is already being done, but to test it further. A few years ago a gentleman over here in the Bureau of Plant Industry—I forget his name; I believe he was at one time acting chief, but I am not sure of that—went out with the California Fruit Growers' Association. I suppose, although I do not know, that the California Fruit Growers' Association is now the most important association of the growers of farm or agricultural or horticultural products in the world.

Mr. SLAYDEN. And the most efficient.

Mr. MANN. They have discovered, by the methods proposed to be used here, that they can market their products where there is a demand for them. A carload of oranges is started from southern California and does not know where it is going to land when it starts.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

[By unanimous consent, the time was extended five minutes.]

Mr. FESS. Will the gentleman yield?

Mr. MANN. Yes.

Mr. FESS. This is a new item?

Mr. MANN. It is a new item in language, but the work is now being done.

Mr. FESS. What I wanted to ask the gentleman is whether he has in mind the specific good results that will follow from this?

Mr. LEVER. I think I can tell the gentleman at the proper time.

Mr. MANN. The gentleman from Ohio asks a very proper and interesting question. All last summer I used to notice in the Chicago papers—and I suppose it was published everywhere—a statement of the number of carloads of different kinds of fruit and vegetables that were sent to Chicago from different places. The same was true with reference to all other large markets. That information is provided throughout the country, so that a man raising watermelons in Georgia would know from day to day the number of carloads of watermelons on the way to Chicago and New York and Cincinnati or Baltimore, and in that way have some idea of whether the market at those places would be overcrowded.

Mr. FESS. Then the value would not be limited to the commission merchants?

Mr. MANN. Oh, no; the value is not to the commission merchant; the value is to the producer.

Mr. LEVER. If the gentleman from Illinois will allow me, I suggest, in connection with the fruit growers of California, that that association has been so successful that it is enabled to employ Dr. Powell, who used to be in the Bureau of Plant Industry, at a salary of \$12,000 a year, and their telegraph code costs \$60,000 a year, and yet with those overhead expenses they make a large profit.

Mr. MANN. They make a large profit from a very small charge, and they are now engaged in the most interesting kind of work there is for an association of that kind, and that is advertising their products so that they may reach a larger consumption. You read every day—they have it all over the country—advertisements of "Sun-kissed oranges" and various other California products, paid for by this association out of a general fund that is a very small charge on what they sell. I remember when Dr. Powell went to the concern in California. I talked with him, and he told me he had an offer to go to this association and what he was going to try to do. The little knowledge I have on the subject—and I was interested in it from the start—shows me that he has accomplished a great deal more than he thought he could accomplish or than anybody else could accomplish.

Mr. HAUGEN. Will the gentleman yield?

Mr. MANN. I will.

Mr. HAUGEN. The gentleman has referred to the movement of fruit. Is it not a fact that the railroad companies furnish the information of the movement of stock at their own expense and that this information is furnished by the department at Government expense?

Mr. MANN. No; that is not the fact. The railroads may have the information. Of course, the Department of Agriculture has to get it some way, partly from the railroads and partly from the merchants; but the Agricultural Department furnishes it to the people of the country. I dare say that the gentleman never learned a single thing in reference to such shipments from a railroad statement. If he did, he had to make inquiry for it.

Mr. HAUGEN. I was referring to stock shipments.

Mr. MANN. The stockyard furnishes that information as to stock shipments, but they do not furnish the information as to where the shipments start from. All they furnish is the receipts of the shipments at the yard.

Mr. ANDERSON. Mr. Chairman, the remarks of the gentleman from Kansas indicate but one thing, and that is a very vague notion as to the kind of work being done and proposed to be done under this paragraph. Perhaps that is not at all singular, as the work is largely new. Gentlemen of the House are entitled to information as to its character and purpose. The information that is gathered by this service and given to shippers, associations, and commission men is not confined to prices. If prices are gathered at all, they are a very small incident of this service. The service, in the first place, makes a survey of the consuming capacity of the large centers of population.

Mr. CAMPBELL. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. CAMPBELL. Is not that covered in the preceding paragraph—the survey of the market and the information to producers of the best markets to which to send their perishable products?

Mr. ANDERSON. It is not.

Mr. CAMPBELL. It certainly is not in the paragraph under discussion.

Mr. ANDERSON. I think it is. It was formerly done under the preceding paragraph, but it is now proposed to carry it under this paragraph. They make a survey of the consuming capacity of the great centers of population. It is a well-known fact that some cities consume a very much larger amount of strawberries per capita than other cities. This survey determines the normal consuming capacity of these large consuming centers with respect to certain perishable products.

Then it goes to the other end and determines the producing capacity of the producers of the country. It knows how much of any given product is available for shipment at any particular time. It ascertains how many cars of strawberries, peaches, or watermelons are started for consuming points upon any given day. Having previously given to the shipping center the information as to what the normal consumption of the city is, and knowing the amount of the product that is on its way to that city, the shipper is enabled to divert a part of the shipment to some other point, where there is no oversupply.

Naturally this information, to be of any value, must be obtained very quickly. It has to be obtained by telegraph and it is obtained by telegraph. Those who have seen this service applied testify that it is of inestimable value. The gentleman from Illinois [Mr. MANN] told the House something with respect to what had been done by the California Fruit Growers' Association. This is one of the largest, perhaps the largest, association of its kind in the country, if not in the world. Because of its size it is able to perform this service for itself, but there are a vast number of small producing centers, and smaller associations, whose business is not of sufficient volume to enable them to carry on such a vast service as this is intended to be.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ANDERSON. Mr. Chairman, these small associations can not perform this large service for themselves. If the Government does not perform it, nobody will perform it, and we will have what we have had heretofore, namely, the great consuming centers of the country flooded with a product at one time and absolutely without it at another. The market office is under the direction of a citizen of the State which I have the honor in part to represent, a graduate of the university of that State. I think it is one of the most efficient organizations in the entire Government. It is a new service, very largely in the experimental stage, but because it is a new service it has not been cramped by traditions, by obsolete methods which have been adhered to from year to year, from a time as to which the memory of man runneth not to the contrary. It has been able to apply to its own organization the system of efficiency which it is trying to get adopted by the various concerns in the country handling agricultural products. The gentleman from Iowa [Mr. HAUGEN] talks about the information with reference to stock shipments which appears in the newspapers from day to day. That information, of course, refers only to receipts, and naturally reaches the public only after it can be of no possible value to the man who is shipping stock. This service proposes to give the information in advance, so that the producer will know where to ship his produce and when to ship it.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. I yield.

Mr. STAFFORD. Do not the local papers, so far as perishable truck is concerned, furnish that very information to-day? I know they do, so far as my home paper is concerned.

Mr. ANDERSON. Oh, this is not a local proposition. This is a Nation-wide proposition, a proposition to correlate information from every section of the country and make it available to every producer in the country. The information that is contained in the local newspapers reaches only those persons in the immediate localities. These products are shipped, many of them, thousands of miles. It is not a local market problem. It is a national market problem, a problem that affects the whole country. It requires the gathering of information with respect to these products all over the country, and in that respect it is a service which no individual establishment, no matter how large,

can duplicate upon the same scale as the Government, giving the same value to the shipper and the consumer alike.

Mr. LEVER. And the same impartial information?

Mr. ANDERSON. And the same impartial information. In other words, it is a Government service which stands between the producer and the consumer that can obtain and give the information in an impartial way, that is biased neither by the desire to sell dear nor to purchase cheap.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. WARD. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record on the Agricultural bill.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HELGESEN. Mr. Chairman, my very good friend from Milwaukee, Mr. STAFFORD, is a very well-meaning man; but, coming from a large city, he is apt to take the same view of all these questions that men do who come from large cities—a local view—and they imagine anything that tends to benefit the farmer must necessarily injure the consumer. They can not understand that new conditions might be brought about that might benefit the producer and the consumer alike. Much as the great cities consume—and they do consume a great deal in the line of fruit—they do not begin to consume as much as the smaller towns, villages, and hamlets and the farmers of the North. I represent a district that can not raise any of these southern fruits. We have no interest in this item as producers, but we do have an interest in the item as consumers. We want them at a reasonable price; and we understand what the great cities do not seem to understand, that whenever there is any unnecessary waste it must result eventually in making the average price higher than it would have been if that waste had not been sustained, and whenever there is a carload or a trainload dumped it must increase the price eventually, although it may ruin a few and very frequently many producers. It is not in the interest of the commission men at all. The commission men get their commission regardless of whether it is sold at a high or a low price; but whenever the southern fruit flows into the great central markets in such quantities as to overstock those markets the price goes down to a point where the producer does not get enough to pay for the cost of production, and it discourages him, even though it does not break him financially, and he will not ship any more. He does not know the fact that whereas Chicago, Milwaukee, Pittsburgh, St. Louis, and Kansas City may be overstocked, there are very many other much better markets where they could get a profit; and the idea is to furnish the information to the producers of the southern fruit so that they may know that certain markets are glutted and that therefore he should not ship to those markets, but to ship to the distributors in Minnesota and the northern regions of the country where people want that fruit and where they are willing to pay a reasonable price.

It is the only possible way that the small producer can ever get the information that he needs and must have if he is going to remain in the business and get more than the cost of production. We have a great many instances of that. I remember that about a year ago a man told me he had a friend who was a commission man in Boston. He was raising onions down South, and he appealed to his friend in Boston to let him know when to ship those onions, and he got a letter saying he believed that now was a good time to ship, but, unfortunately, a great many others had received the same information, and the market was flooded. So the commission man wired him afterwards not to ship. It was too late. The result was that the onions sold for less than the freight, and he had to pay \$12 on top of giving his onions away, because they did not pay for the freight. Now, if information had been available, if he could have shipped those onions to a place where the people would have taken them at a reasonable price, it would have been to his advantage.

And so it is on all lines of southern fruit. The South is different from the Pacific coast. The orange industry is in the hands of a compact organization that has capital enough to carry on a private marketing organization, but the small southern producer can not do it, and the only way he can get the information, if he is to have it at all, is from a Government source.

Mr. BYRNES of South Carolina. Mr. Chairman, I trust the gentleman from Wisconsin will not make the point of order against this item, but if he does, I hope that it will not be sustained. Of all the work of the Department of Agriculture, I believe the work of the Bureau of Markets will prove to be of the greatest value, and in this bureau there is no work of greater importance than that provided for in this item appropriating \$136,000 for collecting and distributing by telegraph and mail, information as to the supply, commercial movement, and market prices of fruits and vegetables. One can hardly

appreciate the value of this work unless he is familiar with the manner in which the farmers have heretofore marketed their fruits and vegetables. In a part of the district I have the honor to represent the growing of fruits and vegetables is quite an industry. Asparagus, cucumbers, cantaloupes, watermelons, lettuce, and other fruits and vegetables are grown and shipped to northern markets for sale. The farmer who invests his money and labor in producing cantaloupes, for instance, has heretofore sold them by shipping them to some commission merchant in one of the great cities of the East, without any knowledge as to the number of cars arriving in the city that day or the number of cars en route for that market. As a result it has often happened that while there was a demand for cantaloupes in many markets, some one market would have a surplus and this perishable fruit be thrown away. It has been an injury to the consumer because the waste of carloads of cantaloupes in one market simply means a shortage in another city, and consequently higher prices in that city. At the same time it has been a serious injury to the producer who in return for his cantaloupes has received from the commission merchant nothing more than a request to remit to cover the freight.

The work provided for in this item was commenced last year. It was impossible for the bureau to extend it to all fruits and all vegetables the first season, but strawberries, onions, tomatoes, and one or two others were covered, and this year the work will be extended to cover asparagus, cantaloupes, and other crops. Agents of the department are sent to the great markets and by telegraph they inform the bureau daily of the prices prevailing in those markets and of the supply available. Arrangements have been made with the railroads to furnish to the bureau every night the number of cars of cantaloupes, for instance, that are en route for New York. The producer in South Carolina can arrange with the Bureau of Markets to have sent to him daily a telegram informing him of the number of cars of cantaloupes in New York that day, the prices prevailing, the number of cars en route, and with this information he can reach an intelligent conclusion as to whether or not he will ship a car to that market. Cars from the South Atlantic States are consigned to Potomac yards here at Washington, and if the information from the bureau causes the producer to conclude that it would be wise not to ship to New York he can, by telegraph order to Potomac yards, have his car diverted to Philadelphia, Boston, or some other market.

As the gentleman from Illinois has stated, this work is only in the experimental stage. It is growing, and if it is to be of the greatest service to both producer and consumer it must finally become a great clearing house of information. My own opinion is that at the conclusion of the season for shipping cantaloupes, for instance, a bulletin should be prepared showing the number of carloads of cantaloupes arriving at the large markets each day and the price prevailing that day. This information could be easily secured, and if furnished to the producer would be of great value to him the following season. When he receives a telegram from the bureau that 20 cars of cantaloupes have arrived at New York and 20 more are on the way he is still in doubt, because he does not know the consuming capacity of the market. But if he has a record of the condition existing in that market the preceding season on that very day that information will be a chart by which he can be guided in shipping his cantaloupes.

Mr. GOOD. Must he have that information by telegraph?

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. BYRNES of South Carolina. I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SMITH of Michigan. I was interested in what the gentleman said about the crop reporting or the dissemination of information by bulletins. Now, that is done at considerable expense to the Government, and it always contains this same information largely that the gentleman is talking about, but it comes too late. Would it not be better to send a telegram than to use this money for this late information, so that they can take advantage of the information the gentleman is now talking about?

Mr. BYRNES of South Carolina. The gentleman did not understand me. The bureau could prepare a record of the number of cars of cantaloupes received at New York on June 1, 2, or 3 of this year and at the conclusion of the season could prepare a bulletin setting forth this information, together with a record of the prices prevailing in that market each day. That bulletin could be prepared at any time in the fall and forwarded to producers, and next season when the producer was ready to

ship he could consult this record and know exactly how many cars were consumed in that market last year; he could telegraph to the bureau and find out how many were en route for New York and then decide whether or not he should ship there.

Mr. SMITH of Michigan. Very true, but this market produce is perishable stuff, and would it not be better to have the information just at the time the crop is produced?

Mr. BYRNES of South Carolina. It is absolutely essential to secure by telegraph the information as to the condition of the markets at the time the producer is ready to ship.

Mr. SMITH of Michigan. I quite agree with the gentleman in the position he takes on this matter, but I wanted to get his idea and ascertain if he did not agree with me.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from Connecticut?

Mr. BYRNES of South Carolina. Yes.

Mr. TILSON. I wanted to ask the gentleman if in his section of the country there are not fruit growers' associations, so that one man will not have to bear this expense alone, but that the whole association, including a group of farmers in a settlement, might get all this information at their joint expense.

Mr. BYRNES of South Carolina. That is a very pertinent question. The producers are slow to organize; it is difficult to convince them of the benefit of it. However, progress is being made, there is a State organization of asparagus growers just organized this year, and in Beaufort County, in my district, there is an organization of producers engaged in producing lettuce, potatoes, cabbages, and other truck. They have a competent secretary and, of course, he can secure telegraphic information from the bureau if he wishes to, and communicate it to the members of the association. Where there is no association, however, the producer has up to this time had no means of securing this information, and that is the reason why I believe this item of such great value. I think it would be well for the department to consider using the county demonstration agents at points where the producers are not yet organized. If the producers agree to bear the expense of the daily telegram to the agent from the bureau, when he received it in the morning he could use the telephone to communicate it to interested producers. Of course this work is in its infancy, but I think it exceedingly fortunate that Mr. Brand, who is in charge of it, has had the good judgment to proceed cautiously. Having read the hearings before the committee, I am satisfied they have made great progress. It is no easy task to organize a new bureau, secure competent assistants, and map out the work. He is laying a solid foundation for this bureau, which is destined to become one of the largest in the Department of Agriculture and render great service to the producers of the country.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. WATSON of Pennsylvania. Mr. Chairman, I am a practical farmer, not too proud to get down on my knees and get after the bugs that my colleague and friend from Pennsylvania [Mr. MOORE] has said are so dangerous to vegetation and the human race. [Laughter.]

Something has been said about the transportation of products. I live within 20 miles of the city of Philadelphia, and the road to that city is as smooth as this floor. There are plenty of trucks to transport my products, and within three hours after they are harvested they are placed on the markets. But when they arrive there it is difficult to find purchasers. Therefore it is not transportation but demand that worries the farmers of my district.

This item in the bill, amounting to \$136,000, to notify the farmers, I feel, is of no practical assistance. In my section there are a great many people growing pears. Occasionally letters are received from Pittsburgh stating that there is a great demand for pears there. Then the growers send their crop to Pittsburgh, only to find a weak market.

So it will be in all sections of the country and for all growers of products. I am speaking for my constituents and for myself when I say I do not believe in this appropriation, and I think it is of no value to the country. [Applause.]

Mr. HAUGEN. Mr. Chairman, if anyone will read the hearings he will find that the purpose of the Bureau of Markets is to do away with the middleman.

Gentlemen, possibly the middleman is not entitled to consideration. It may be that the beautiful towns and hamlets throughout this country have no rightful place on the map. Possibly they should be wiped off the map. I do not believe this should be. This question is now up to the committee. If you believe in eliminating them, then give this Bureau of Markets every encouragement that you can. The idea here, evidently, is to

transport the products from the farm to the kitchen. If you go direct from the farm to the kitchen, you eliminate the middleman and merchant in the small town and the merchant in the city, who have largely built up and inhabit the towns. I have lived in small towns. I have contributed to their support. I still believe that they are entitled to some consideration.

How is this to be accomplished? By way of parcel post? Yes; the express companies pay railroads, on the average, 73 cents a hundred, or less than three-fourths of a cent a pound for hauling express. The railroads get from Uncle Sam an average of \$4.60 for every 100 pounds you divert. You thereby throw nearly \$4 extra on every 100 pounds to them and add that much to the receipts of the railroad companies.

If it is to aid the railroads, if they can not take care of themselves, very well; let us encourage this appropriation. However, I have always believed that the railroad companies are capable of taking care of themselves. I have no quarrel with them. They are like the packing houses; they are human; they take all that they can get.

What next? The claim is, it is to enlighten these so-called "ignorant farmers." It is to inform the farmers as to the rates from one given point to some other point. The gentleman from Minnesota [Mr. ANDERSON], a member of the committee, raised this question: "I shipped my automobile, I paid one rate, and was called upon to pay in addition." Asked what remedy he had to suggest, he said: "We supply information, but we do not make rates." Why, gentleman, is it not a fact that every railroad company is required to post their schedule of rates in every office? A farmer can go to the nearest freight office and procure all that information, as he in fact does; but the department now contends that the farmer is not capable of comprehending the schedule, and therefore information should be furnished by it.

A word as to the merchant: I believe that the merchant, the distributor, is as necessary as transportation and the producer. This talk about "from the farm to the kitchen" is, in a large degree, a political bunkum to catch votes and in the interest of transportation companies. For instance, much has been said about potatoes. The dealer who it is proposed to eliminate, the merchant who helps to build and support the town, its schools, churches, parks, and streets, buys in carload lots and pays, say a cent a pound for potatoes and 25 cents per hundred freight. He sells in small quantities, in many instances not to exceed 10 pounds. Suppose he charges a profit of 75 cents a hundred. This makes the cost to the consumer 2 cents per pound or 20 cents for 10 pounds. On the other hand, if the consumer follows the advice to buy direct from the farmer and places an order for a certain number of pounds of potatoes to be forwarded from time to time, say, in 10-pound shipments by parcel post, he pays 10 cents to the farmer for the potatoes, the same as the merchant paid for the carload lot. If the shipment is within the first zone of 50 miles, he pays 14 cents postage; if in the third zone and over 150 miles, he pays 24 cents postage. I believe that it is fair to assume that no consumer will pay 24 or 34 cents for 10 pounds of potatoes that can be delivered at his door on short notice at 20 cents. What is true as to potatoes is true in many other instances. It is also true that many products can be shipped to advantage. At times butter and eggs can be shipped to an advantage, but with our slow parcel-post service few take chances on shipping perishable products. Even if money could be thus saved to the consumer with the present rate paid to railroad companies carrying parcel post, the rate charged and the deficit incurred, it hardly seems fair to encourage a greater deficit and take money out of the Public Treasury to make it up. We might as well be honest about it. The whole scheme is to encourage shipments by express and parcel post at a higher rate than the freight rate now paid, and thus increase the receipts of the railroad companies. Cooperation and organization should be encouraged. We have it throughout the country. In my section of the country we have cooperative creamery companies, insurance companies, elevator companies, and various other cooperative associations. They serve a good purpose and are generally ably and successfully operated, and are worthy of credit and commendation, but in order to encourage and assist them it is not necessary to employ and send out experts on transportation rates to tell the farmer or the elevator man the rate from his station to his shipping point when the information is available or can be had by stepping into the freight office; nor is it necessary for the department to telegraph market reports from Washington at Government expense when that information is already furnished over the wire and through the daily press; nor is it necessary to employ inexperienced business men to advise business or commission men where and how to conduct their business, or the elevator men how to keep books, or numerous other things which are proposed under this item.

In this connection I desire to say a word as to appropriations based upon statements and credit hitherto taken for increase in yield, which were evidently not well taken. As stated by Mr. Spillman, Chief of Office of Markets, hitherto eloquence has been wasted in an effort to increase the yield, and from now on the farmers are to be told how to grow less, and thus the solemn pledge made to the consumer in the Democratic platform, pledging a reduction in the cost of living is to be repudiated. In the paragraph under consideration, and in a number of others, it is proposed to appropriate money for the payment of high salaries and expenses of employees in the department, averaging from \$2,500 to \$5,000, as stated by Mr. Spillman, "to visit among farmers and gather up their experience." Why not employ an experienced, intelligent, practical, and substantial farmer at the outset? Why employ those who know nothing about farming to go into the country "to visit and gather up their experience?" What is the situation? People are employed to go into the fields, to advise and educate farmers, to tell them what to do—information to be given to the farmer by employees who know little about farming or the work assigned to them. Second, as stated, another employee is sent to visit among farmers and to gather up their experience, so that if he acquires the necessary knowledge of farming he may be sent out to instruct and educate other employees in the field so that they may intelligently perform the work assigned to them—that is, to tell the farmer what to do. As a result we have half a dozen men, each drawing salary and expenses from \$2,500 to \$5,000, endeavoring to do the work that one practical and experienced farmer could do much better because of his experience and knowledge. Why this waste of money? Why tax the farmer with all these high salaries and expense when, according to Mr. Spillman's statement, the farmer is receiving annually a net average of \$142 cash and \$260 worth of food, rent, and fuel for his year's work, which includes the services of his family, averaging 4.6 people? Why not employ a competent man at the outset, as was contemplated and understood would be done when the item was first inserted in the bill? Certainly many practical, experienced, intelligent, and successful farmers could be employed to do the work, thus not only eliminating hundreds of thousands of dollars from this bill, but at the same time have the work done in a more efficient and comprehensive manner by giving the farmer practical and valuable information, not in one but in all the bureaus of the department.

Scientists have their place and should be given encouragement. Everyone employed in the department, so far as I know, is worthy and deserving. When it comes to treating bugs and the diseases of plants and soil, scientists become necessary and are in their place, but when it comes to practical farming very few of them, if any, have practical knowledge, and are out of place in undertaking to give advice, because of their lack of knowledge and experience. Much of the money thus expended is a waste. A business man in need of a manager for his business does not advertise for a scientist. He employs one with training, experience, and capacity for that particular line of work. If in court he employs a lawyer, not a preacher. For spiritual advice he goes to the preacher, not the lawyer. The farmer, if he needs a farm hand or manager, employs one with proper training and experience to feed his stock and till the soil. So, instead of paying salaries and giving joy rides to inexperienced people the department should employ men and women equipped and prepared to do the work assigned them. If you will read the hearings you will find that people are sent out to teach how to shock, stack, thrash, and market grain. If that is to be continued, why send one unable to tell a shock or stack of grain from a muskrat mound. Why not send one who can tell one from the other and who knows how to set the shock and how to stack the grain? Why send one to tell when to swat the roosters, another how to drive and round-up cattle, another how and when to plant potatoes, another how and when to plant corn, another how to build granaries and fences? Why not send one who by his experience and knowledge knows and is capable of advising as to all, who knows through experience when and how to fertilize the soil, when and how to rotate crops, how to produce large crops and leave the soil better than before, how to make a good farmer out of a poor one, how and what kind of fence and barn to build, when and how to plow deep, when to exterminate weeds, how to select and plant seed corn, how to house and swill hogs, and a thousand other things of which he has knowledge, attained in the school of experience—in short, how to intelligently and advantageously apply industry and enterprise.

Yes, instead of sending out circulars and gathering and publishing so-called information, resulting in discrediting the dairy industry—though unintentional—rather send one to aid in improving conditions where improvements are necessary. If the department will employ an intelligent, experienced, and successful

farmer to go out, he would do as is being done by farmers' organizations, by farmers, by dairy journals, and all friends of the dairy. Preach the importance of not only a clean dairy, but a clean kitchen, a clean cupboard, a clean conscience, and neat housekeeping.

As previously stated, so far extravagant and unfounded claims made by or for the department have not increased the yields. So far no one in or out of the department has been able to point out any material assistance rendered the farmer by the department along that line. Claims are made, it is true, as, for instance, in the discovery of alfalfa. Yes, the department discovered alfalfa nearly a hundred years after Jefferson did. So far neither the department, party platform pledges, stump speeches, nor eulogies printed in the CONGRESSIONAL RECORD have materially increased the yield. As that is the case, it occurs to me that the time has come for some one to offer a few observations and, in view of the solemn duty imposed upon me as ranking member of the minority in the committee by the distinguished gentleman from North Carolina [Mr. KITCHIN], to carefully scrutinize and criticize unwarranted expenditures, or share in the responsibility, I venture to take the floor and have in a feeble way pointed out a few of the many apparently unwise appropriations carried in this bill and offer a few suggestions, not so much with the view of criticizing the department or of holding it responsible for all of the errors made, as Congress must share with it in the responsibility, for it holds the purse string and has the power of directing how the money shall be used. I repeat what I have often said, that in the department we have, I believe, the ablest corps of scientists in the world, all pursuing their duty with enthusiasm, and because of their enthusiasm and skill we admire and respect them, but they allow themselves to be carried away and overestimate their capacity for doing that in which they lack experience and training. Like all others, they are not infallible; hence we have inefficiency, duplication, and a waste of money in certain lines. Therefore, I believe that it is up to Congress to do its part, to do as suggested by the distinguished gentleman from North Carolina—scrutinize, criticize, exercise its power in directing how money shall be expended, inquire as to results attained, and if money appropriated has been wisely expended. Furthermore, if the best interests of agriculture are to be subserved legislative action should be substituted for eulogies and party platform pledges. Instead of declaring in favor of rural credits it should be enacted into law; instead of reporting bills providing for \$10,000 salaries under the title of "rural credits" funds should be made available to the people in rural districts on reasonable terms and at a reasonable rate of interest; instead of talking about bonded warehouses and grain inspection the bills reported should be passed; instead of disposing of the forest-grazing and water-right privilege on 160,000,000 acres of public land at any price obtainable, at an annual loss of \$2,500,000, besides timber and privileges given away and money expended for improvements, thus keeping the price of lumber up to the consumer, investigation should be made with a view of dealing with the matter in a more economical and advantageous manner. As everybody knows, the suggestion has been made by some that if Uncle Sam's 160,000,000 acres of forest was opened so that everyone could help themselves free of charge or leave it to rot, Uncle Sam would be more than \$3,000,000 ahead each year, besides the corresponding decrease in the price of lumber to the consumer. That, of course, is not going to be done, nor should it be done; but it seems to me that a wiser and more prudent way of handling the matter should be found.

I desire to emphasize that instead of employing and sending out seven and one-half hour men and women to visit among farmers to gather up their experience and tell them who to elect as Senators and Members of Congress in planting and harvesting time, and talking shorter hours and more pay while Congress is in session, we had better send men accustomed, willing, and equipped to work much of the time from sunrise to sundown, to talk good common sense, and give practical advice, instead of bookkeepers, doctors, and experts on rates, as is being done.

Mr. Chairman, another matter. I am getting sick and tired of these insinuations. Not one day goes by but the intelligence of the people in the country is questioned. I have sat here for 17 years. We have appropriated \$207,000,000 in the last 10 years on the pretense that it is to educate these so-called "ignorant farmers"; that this appropriation is for the purpose of enlightening and benefiting the farmer. Why, I would suggest to you that you may eliminate this appropriation and every item in this bill, and yet the farmer would get along better than the people who are benefited and who are drawing the salaries.

I believe that every Member of this House takes a just and pardonable pride in the fact that we are living in this age of marvelous expansion, that we are moving forward at such a

mighty pace, and that we rank amongst the most intelligent and practical people on the face of God's footstool; I believe it is a man's duty—I care not what his political affiliations, creed, or occupation may be—rather than to legislate to furnish soft berths in the public crib, and to give joy rides to many of the 16,000 people employed by the department, we should strive to benefit the weak, to uplift the distressed, to help humanity, to give honest and heartfelt consideration of every useful agency in securing full benefit from our natural resources, for the development of every mechanical appliance, for the skill and genius of American labor, and to see to it that nobody is discriminated against, but that each and every one is given adequate protection against any invasion of his rights on the part of unscrupulous and dishonest interests in order that we may have the fullest development of every worthy and legitimate enterprise. But we can not do that by unwarranted attacks day after day. We can not help the farmer by declarations in party platforms. We can not assist the farmer by eulogizing him here in the House and tax him for unnecessary expenditures. We can not assist the farmer by making liberal appropriations for fat salaries. If we are going to benefit him, do something for him. If you are interested read the testimony here; you will find that many of the appropriations are not in the interest of the farmer, but that they are in the interest of the commission man and in the interest of the railroads and employees, all worthy, though many unnecessary. If you will read the hearings you will find that we are paying fat salaries for what—to aid the railroad companies. Have they said a good word for the farmer? No; they eulogize the railroad companies, speak of the great favors received from them, and draw salaries from Uncle Sam under the pretense that they are working in the interest of Mr. Farmer.

Mr. LEVER. Mr. Chairman, the statement of the gentleman from Iowa [Mr. HAUGEN] is most remarkable, indeed, when we take into consideration the fact that for 16 years he has been a member of the Committee on Agriculture. I had thought that one of the things that might be written of the gentleman when he shall have passed over the river and is resting in the shade of the trees is that he had some part—and was proud of it—in the development, establishment, and promotion of this great Department of Agriculture of the Government of the United States, which is the greatest agricultural university in all the civilized world. [Applause.] Now, at the end of 16 years, after having contributed his ability, his energy, his broad experience, and his good, common horse sense, as we call it in my country, to the upbuilding of this great instrumentality of education, the Department of Agriculture, I am surprised to find him ready to-day to tear down the temple to whose construction he has contributed so much.

I think it may be said in truth that there is no country in the civilized world which has gathered together under one management so many men of such a high degree of expertness and scientific information as have been gathered together under the present Secretary of Agriculture and his immediate predecessor, the Hon. James Wilson, who comes from the State of the gentleman who has just spoken. [Applause.] If the gentleman's argument is sound at all, it would be the duty of the people to close the doors of every schoolhouse in the land, to tear down the pillars that support every college, to dynamite every university, and to tear from its foundations every educational institution under the Stars and Stripes.

This Department of Agriculture is intended, under its organic act, to gather information and diffuse it to the people of the United States on the subject of agriculture, in the most comprehensive meaning of that word. I have been on the Committee on Agriculture for 13 years. I do not believe it is egotistical for me to say that I have contributed some small part in the expansion and extension of the activities of the Department of Agriculture. Thank God as I stand here to-day I am not ashamed of what I have done. [Applause.]

Mr. Chairman, the particular item under consideration is but the culmination of a long agitation for what the producers of this country regard as a duty that this Government owes to them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. LEVER. Since 1862, when the Morrill Act was passed establishing land-grant colleges, followed later by the passage of the Hatch Act, and then later by the Adams Act and the second Morrill Act, and then by the agricultural-extension act

of 1914, we have been appropriating money to teach the farmer how to produce more things and how to produce them economically. We have spent in the neighborhood of \$200,000,000 in that line of governmental activity. In my judgment the money has been wisely expended. It has brought back to the people dividends a hundredfold, and no man need be ashamed of his part in that work in this Congress. [Applause.]

But, Mr. Chairman, the producers of this country and the Committee on Agriculture, agreeing with them, rightly assert that it is not fair, it is not just, it is almost criminal for the Government to appropriate its money and expend it to teach the farmers how to produce things unless we take the next logical step and appropriate money to teach them how economically and wisely to sell that which they produce. [Applause.] But Congress after Congress ignored that great basic, fundamental fact in the economy of agriculture, until in 1914 there was inserted in the Agricultural bill this item—

To enable the Secretary of Agriculture to acquire and diffuse among the people of the United States useful information on subjects connected with the marketing and distributing of farm products, and for the employment of persons and means necessary, in the city of Washington and elsewhere, there is hereby appropriated the sum of \$50,000.

That was in the appropriation act of 1914. That was the beginning of the present Office of Markets and Rural Organization. That item was reported from the Committee on Agriculture without a dissenting voice. It was accepted by this House without a dissenting vote or a question. It was accepted by the Senate of the United States without a dissenting voice or a vote of protest, and it is upon that broad language that we are building up the instrumentalities through which we hope to bring closer together the producers of agricultural products and the consumers thereof. [Applause.]

Mr. Chairman, I trust that members of the committee will pardon me, if I say that I, together with the president of the State Farmers' Union of South Carolina—an extremely progressive farmer—wrote the exact language as it appeared in the act of 1914, and I am not ashamed of my baby, by a long shot. [Applause.]

Mr. BUTLER. Will the gentleman yield?

Mr. LEVER. I will yield to the gentleman from Pennsylvania.

Mr. BUTLER. Was it not in 1913 that we made the first appropriation for this work?

Mr. LEVER. It may have been. I may have been in error about the date.

Mr. BUTLER. It may be interesting to a man like me, representing a large agricultural district, if the gentleman will tell us what progress we have made, how the farmer is going to reach the mouth of the consumer and get rid of the middleman; and how much we have done, and how soon it will reach Chester County, Pa., where I live.

Mr. LEVER. I am glad the gentleman from Pennsylvania has asked the question.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. BUTLER. Mr. Chairman, I ask that the gentleman's time be extended two minutes in order that he may answer my question.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LEVER. When the first proposition for the Bureau of Markets was brought to Congress it was proposed in sundry bills to expend fifteen, twenty-five, fifty million dollars; to go out without information, without the facts, without the necessary investigation, and plank down on the country, as it were, a market blanket which must be just so wide and just so long and so constructed that we could neither draw it up nor expand it with the growth of the country. The item in this bill to which I have referred, and the growth of the bureau so far, was a compromise proposition, broader in its terms, more effective in its practical operations, in my judgment, than if we had adopted any of the original suggestions. Now, what has been done? I said this morning to the committee in the matter of the cotton market that it had been found that in certain sections of the country the highest grade of cotton was selling on the same market on the same day in the same State anywhere from \$3 to \$20 a bale lower than cotton of a lower grade was being sold for on that market on that day. I said further that the investigation of the department had so strikingly brought these facts to the attention of the producers that the community organized itself and employed a \$3,000 expert in cotton grading to protect them against such discrepancies in the future.

Now, what is true in reference to cotton I have no doubt is true in the sale of practically every farm product in this country; through lack of standardization, through lack of proper

grading, through lack of proper methods of business, through lack of proper marketing, both the producer and the consumer are paying a heavy economic waste cost.

Mr. BUTLER. Does the gentleman know whether or not this bureau has considered the advisability of raising the price of milk in Pennsylvania and also the price of corn and wheat and oats? Is it a fact that when the producer produces he has to take his products where they are consumed?

Mr. LEVER. That is very true; and the purpose of the office is to find out the places where the price is the highest and to find out the channel through which the producer may get the largest profit out of that which he produces.

Mr. BUTLER. First, to discover where the price is the greatest, and, second, the avenue by which the product may be conveyed?

Mr. LEVER. Yes.

Mr. BUTLER. I want to vote for this provision. We usually have had that information from the newspapers, and to my recollection we have had it for 50 years.

Mr. SCOTT of Michigan. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. SCOTT of Michigan. How does your committee propose to get this information to the farmers throughout the country?

Mr. LEVER. It is the purpose to station the experts in the field, gather the information, and at the request of the individual telegraph that information to the individual or to other parties who may make use of it. It is my own thought, however, that this work is going to grow up more largely through the organization of cooperating selling societies than any direct contact with the individual. My hope is that it may grow up in that way. While the actual work now being done is important, in my humble judgment the greatest work of the Office of Markets, after all, is coming as the result of organization of the farmers to do cooperative selling and cooperative buying, in order to get the benefit of this system.

Mr. BUTLER. This subject is not new. It has been talked of ever since I was a boy, but I am pleased to know that the gentleman is of the opinion that it is being developed. I am going to turn all the successful agriculturists of my county over to this bureau within a week.

Mr. LEVER. I hope the gentleman will do so, and he will find it a very efficient office. Now, Mr. Chairman, it may seem ungracious for me to ask to limit debate, after consuming so much time myself.

The CHAIRMAN. The gentleman from Wisconsin has raised a point of order. The Chair will ask the gentleman from Wisconsin if he makes the point of order?

Mr. STAFFORD. Mr. Chairman, after listening to the illuminating discussion that has just been given to the committee by the practical farmers of the House who are acquainted with the practical conditions of the market, and particularly the gentleman from Pennsylvania [Mr. Watson], I feel constrained to make the point of order.

Mr. SUMNERS. Will not the gentleman reserve the point of order?

Mr. STAFFORD. I will be glad to reserve it.

The CHAIRMAN. The Chair will hear the gentleman from Wisconsin on the point of order.

Mr. STAFFORD. Mr. Chairman, I believe that this item can not be justified under the warrant of existing law. Certainly it can not come within the general authority of the organic act creating the department. That language is very broad and expansive. The authority there stated, that there shall be established a Department of Agriculture, whose object shall be to acquire and diffuse among the people of the United States useful information on subjects connected with agriculture in the most general and comprehensive sense of that word, can not be construed as warranting this character of employment of departmental activities. That phraseology must be construed in connection with the entire act to determine what was the purpose in the mind of Congress in framing that act. You must construe the act entire. I direct the attention of the chairman in limiting that general provision and authority to the more specific definition as found in section 3, which says:

It shall be the duty of the Secretary of Agriculture to acquire and preserve in his department all information concerning agriculture which he can obtain by means of books and correspondence and by practical and scientific experiments, accurate records of which experiments shall be kept in his office by the collection of statistics and by any other appropriate means within his power.

If the Chair is going to hold that that language is warrant for this new machinery of the department's activities of going into the business of a clearing house to determine where carloads of perishable fruits or perishable truck happen to be located, then we would be warranted in having on this appro-

appropriation bill authorization for the establishment of an agricultural university in this city.

It would be warrant for the collection and distribution of statistics relating to cotton, tobacco, of every character of agricultural produce, which the Chair knows has been accomplished not by writing into the Agricultural appropriation bill any authorization such as this, but by distinct, definitive acts. Certainly the Chair can not rely on this general language, which has a specific purpose only of obtaining information of a character that is already in existence, of educational value that could be compiled and distributed in the way of bulletins, which is specifically set forth in section 3. Perhaps the chairman of the committee will lay emphasis upon two other provisions directly relating to this Bureau of Markets that have been passed since the organic act. I have examined this question somewhat, Mr. Chairman, else I would not seek to discuss it so much at length. I want to give to the chairman all that I have at hand. In the compilation of legislation enacted on appropriation acts from 1879 to 1915, as compiled by the Committee on Appropriations, I find on page 323 the only provision which is referred to in the index relating to marketing, and the language is as follows, found in Statutes at Large, volume 37, page 295:

Farm products, investigation and marketing of.

And that the Secretary of Agriculture be, and he is hereby, directed to secure from the various branches of the department having authority to investigate such matters reports relative to systems of marketing farm products, cooperative or otherwise, in practice in various sections of the country, and of the demand for such products in various trade centers, and shall make such recommendations to Congress relative to further investigations of these questions and the dissemination of such information as he may deem necessary.

That limits the authority of the Department of Agriculture to those agencies and branches of the department now in existence having authority to investigate such reports. Certainly that provision is not warrant for this extraneous matter of an entirely new scope of work for the department.

Then we come to the authorization referred to by the gentleman from South Carolina [Mr. LEVER] in the appropriation act of 1914, on which he bases his claim that this is in order. It is found on page 440 of 38 Statutes at Large, under the title "Office of markets":

To enable the Secretary of Agriculture to acquire and to diffuse among the people of the United States useful information on subjects connected with the marketing and distribution of farm products and for the employment of persons and means necessary in the city of Washington and elsewhere there is hereby appropriated the sum of \$200,000.

That is not a permanent authorization. That is merely appropriation law that expired with the termination of that appropriation act. There is no language in that paragraph which signifies any permanency whatsoever, but even if it did, there is nothing in the language to support this amendment even if it could be possibly construed to be permanent law. There is nothing that goes to the extent that they can obtain this information along the lines indicated in this paragraph relating to the supply, to the commercial movement, and disposition and market prices of goods. Where can the chairman find in the acts I have referred to any authority in the Agricultural Department to-day or at any time in the past that gives warrant to inquire as to the movement of trains loaded with perishable goods? If the Chair is going to the extreme of saying that the general law gives warrant for this piece of legislation, then the Agricultural Committee can bring in any and all kinds of legislation, and I respectfully contend that at no time in the past has any such construction been given to that organic act, either by a Chairman of the Committee of the Whole or by Congress, in legislating definitively on the respective measures increasing the authority of the Department of Agriculture.

Mr. LEVER. Mr. Chairman, I will call the attention of the Chair to what has been the universal practice of the Chairman of the Committee of the Whole dealing with the Agricultural appropriation bill. I think the Chair recognizes that all Chairmen of the Committee of the Whole have been, from custom or for some other reason, more liberal in the application of the rules of the House with respect to this appropriation bill than to any other which is considered by the House. I think the attitude of Chairmen of the Committee of the Whole in that regard is justified for two reasons: First, the tremendous problems involved, but more important than that in this case the broad language of the organic act creating the Department of Agriculture. Many times I have called that language to the attention of the Chair, and I desire again to do so at this time:

There shall be at the seat of government a Department of Agriculture, the general design and duties of which shall be to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture in the most general and comprehensive sense of that word—

What is agriculture? What is farming? Does farming consist of the mere production of things out of the ground? Does farming consist of the mere gathering of things that have been grown out of the ground? Is that agriculture? That is the old-fashioned view of agriculture; but there is no student of agricultural economics to-day who is worthy of the name who does not include in the definition of agriculture the matter of production, the matter of harvesting, the matter of distribution, and the matter of market prices and methods.

Mr. GOOD. Will the gentleman yield?

Mr. STAFFORD. Will the gentleman yield?

Mr. LEVER. I yield to the gentleman from Wisconsin [Mr. STAFFORD] for a question.

Mr. STAFFORD. Does the gentleman contend that the construction he now says shall be given to the word "agriculture" was the accepted construction in the year 1862, when the organic act was established?

Mr. LEVER. Oh, the gentleman is living 50 years behind the times. [Applause.]

Mr. STAFFORD. Oh, no; the gentleman is speaking 60 years ahead of a statute that was passed 60 years ago.

Mr. LEVER. I do not know how the Chairmen of the Committee of the Whole construed this act in 1862, and it does not make any difference to me how they construed it. What I am interested in doing now is to call the attention of the Chair to the fact that the Chairmen of the Committee of the Whole in recent years have given to this bill a more liberal construction of the rule than they have applied to any other bill that comes before the House.

Mr. GOOD. If what the gentleman says is a correct statement of law, then the things for which this \$136,600 may be expended could be secured under the appropriation that just precedes it.

Mr. LEVER. There is no question about it. Last year they were secured under that language.

Mr. GOOD. Then certainly it is subject to a point of order.

Mr. LEVER. I do not catch the gentleman's reasoning at all.

Now, Mr. Chairman, let me go on. I wish the Chair to keep in mind now the definition of agriculture as it is known to-day by agricultural scientists and experts and farmers themselves; that it involves not only the matter of producing things, but the matter of prices, methods of marketing and distributing, and the like of that.

Now, I want to call the Chair's attention also to section 526 of the Revised Statutes, where the duties of the Commissioner of Agriculture are set out. Among those duties is this:

He shall procure and preserve all information concerning agriculture—

Agriculture in its most comprehensive term, as found in section 520—

which he can obtain by means of books and correspondence—

And listen—

and by the collection of statistics, and by any other appropriate means within his power.

What does that mean? If the Department of Agriculture wishes to do so, it can gather this information through books, through correspondence, through scientific experiments. And then the wise legislator who wrote that language added this broadening term—

or by any other appropriate means.

But that is not all. I call the Chair's attention to this language under the act of August 10, 1912, and also in the act of 1913. I will read it to the Chair. It was begun in the act of 1911. It says:

And the Secretary of Agriculture is hereby authorized to continue investigations on the cost of food supplies at the farm and to the consumer and to disseminate the results of such investigations in whatever manner he may deem best.

And then in the succeeding act that authority is continued, and there has been no repeal of that item in the appropriation act of 1911. And what is it to-day? To investigate, as it were, the cost of living, the distributing of food supplies. And how? By any means that may suggest itself to the Secretary of Agriculture.

And, Mr. Chairman, that is my case. When the original language creating the office was under consideration my recollection is that a point of order was lodged against that; and, if my recollection is not entirely awry this evening, the present occupant of the chair overruled the point of order; and the language now under consideration, it seems to me, is certainly no broader than the original language either of the act creating the Department of Agriculture or of the language in the bill under which we are operating the Office of Markets and Rural Organization.

The CHAIRMAN. The Chair is ready to rule.

It appears to the present occupant of the chair that different appropriating committees are sometimes inclined to exceed their authority under existing law, and, of course, the only means at the disposal of the House or the committee to prevent that is by the use of the point of order. But in this case—and in saying that the Chair does not want to be understood as criticizing the committees, because we all know how we importune the different appropriating committees to put propositions in which ought not to be in the bill, so far as their right to be in there under existing law is concerned—but in this case the Agricultural Department stands somewhat alone, so far as its activities are concerned. The gentleman from Wisconsin [Mr. STAFFORD] spoke of the Agricultural Department being a "clearing house," provided that these various paragraphs should be held in order. To the mind of the present occupant of the chair the Agricultural Department is peculiarly a "clearing house." That is just exactly what it is.

The provision that I have before me here is section 520 of the Revised Statutes of the United States, which reads in part as follows:

That there shall be at the seat of government a Department of Agriculture, the general design and duties of which shall be to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture in the most general and comprehensive sense of that word—

unquestionably making that department peculiarly a "clearing house" for information. Again, section 526 of the Revised Statutes provides that—

The Commissioner of Agriculture shall procure and preserve all information concerning agriculture which he can obtain by means of books and correspondence and practical and scientific experiments, accurate records of which experiments shall be kept in his office, by the collection of statistics, and by any other appropriate means within his power.

Mr. STAFFORD. Will the Chair permit an interruption just there?

The CHAIRMAN. Yes.

Mr. STAFFORD. The Chair will notice that refers to collection of information by books or correspondence, not by telegraph.

The CHAIRMAN. It says:

Or by any other appropriate means within his power.

Mr. STAFFORD. That refers to statistics.

The CHAIRMAN. Of course, he gets his statistics by means of information which he receives from the different means employed.

Then, in the act of August 10, 1912, there is this provision:

And the Secretary of Agriculture is hereby authorized to continue investigations on the cost of food supplies at the farm and to the consumer, and to disseminate the results of such investigations in whatever manner he may deem best.

That is a very broad authority and direction—in fact, a command—on the Secretary of Agriculture to gather and disseminate certain information.

Now, the paragraph under consideration reads:

For collecting and distributing—

The two very things that the Department of Agriculture is authorized to do—

by telegraph, mail, and otherwise, timely information on the supply, commercial movement, disposition, and market prices of fruits and vegetables.

It appears to the Chair that this paragraph is clearly covered by the authority given in the different sections of the law which I have read.

Now, some Member raises the question as to the words "commercial movement." It occurred to the Chair some time ago that perhaps those words might be subject to a point of order. But this also occurs to the Chair: The language used there, of course, has reference to any information that he can obtain and disseminate in regard to the products of the farm and garden in transit which is connected with or is the link between the actual production and the actual marketing to the consumer, and is therefore only a part of the whole, and so the Chair believes that the provision of this paragraph is covered by existing law, and the point of order is therefore overruled.

Mr. STAFFORD. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Wisconsin [Mr. STAFFORD] moves to strike out the paragraph.

The Clerk read as follows:

Amend, page 72, by striking out the paragraph beginning with line 3 and ending with line 6, reading as follows: "For collecting and distributing, by telegraph, mail, and otherwise, timely information on the supply, commercial movement, disposition, and market prices of fruits and vegetables, \$136,000."

Mr. STAFFORD rose.

The CHAIRMAN. The gentleman from Wisconsin is recognized.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto shall close in 25 minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to offer an amendment to the paragraph.

Mr. LEVER. I will make it 30 minutes, Mr. Chairman. I hope the gentleman from Pennsylvania will get his time on the next paragraph, and we can get through with this.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in 30 minutes. Is there objection?

Mr. CRAMTON. Reserving the right to object, Mr. Chairman, I will say to the gentleman that I am going away, and I am simply asking for five minutes.

Mr. LEVER. On that statement, Mr. Chairman, let us make it 40 minutes.

Mr. CRAMTON. Five minutes will do. The matter I wish to speak of has reference to a later section of the bill.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate on this paragraph and amendments thereto close in 40 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Chair for his own guidance would like to know among whom this time is to be distributed?

Mr. LEVER. The gentleman from Illinois [Mr. MANN] five minutes, the gentleman from Oregon [Mr. SINNOTT] five minutes, the gentleman from Iowa [Mr. GOOD] five minutes, the gentleman from Wisconsin [Mr. STAFFORD] five minutes, the gentleman from Michigan [Mr. CRAMTON] five minutes, the gentleman from Pennsylvania [Mr. MOORE] five minutes, and the gentleman from Texas [Mr. SUMNERS] five minutes. How much does that make? I understand the gentleman from Pennsylvania [Mr. MOORE] desires to offer an amendment.

The CHAIRMAN. It will make 35 minutes.

Mr. LEVER. Make it 45 minutes. The Chair will control the time. I wish to reserve 5 minutes for myself.

Mr. STAFFORD. Mr. Chairman, I will give way to the gentleman from Michigan [Mr. CRAMTON]. He would like to go ahead.

Mr. CRAMTON. Mr. Chairman, I would like to take my time with a discussion in reference to the foot-and-mouth disease. I desire to discuss the responsibility for the spread of that disease, which resulted from lack of proper measures in time to arrest such spread.

I have no desire to express any criticism of the Department of Agriculture in this connection, but I do desire to present a reply to an absolutely unfair, unjust, and untrue criticism coming from that department with reference to State officials of Michigan, and I think I can best present the cause of the officials of my State by reading a letter from Dr. Dunphy, the State veterinarian, in which he presents the facts of the case in an absolutely conclusive way, showing that if there is to be any criticism for lack of proper measures early it should be addressed to the Department of Agriculture rather than to the State of Michigan. I will read an open letter addressed to the Secretary of Agriculture from Dr. Dunphy, issued some time in December. I read:

AN OPEN LETTER TO THE HON. D. F. HOUSTON, SECRETARY OF AGRICULTURE.

Hon. D. F. HOUSTON,
Secretary of Agriculture, Washington, D. C.

HONORABLE SIR: I notice in your report of December 1, 1915, you make the following statements in regard to the outbreak of foot-and-mouth disease in Michigan, and as these statements are misleading in some respects, I deem it a duty to myself and the public, especially citizens of the State of Michigan, to call your attention to these statements.

On page 15 of this report, referring to the outbreak of foot-and-mouth disease in 1914, you state as follows: "After visiting the locality the State veterinarian consulted an assistant veterinary inspector." Now, sir, this gentleman (as your department is well aware) was a full-fledged inspector of your department, and had been in the service of the Bureau of Animal Industry for 14 years in different capacities; began in Chicago about 15 years ago and had gradually worked up as tagger, stock inspector, meat inspector, until at the time that he was called to this outbreak of foot-and-mouth disease he was acting chief of your department in this State. This gentleman had been in the meat inspector's department, and for six years prior to 1914 he had been an antemortem inspector, which is one of the best positions to develop a man in regard to the diseases of live stock of almost any position in connection with the bureau. He had been through the outbreak of foot-and-mouth disease in 1908. He had assured me, at the time that I called him over the telephone, of this fact. He again assured myself and the local veterinarians at Niles on September 3 that he had been through the outbreak of foot-and-mouth disease in 1908, and was familiar with the disease, which statement is substantiated by affidavits from Dr. Graham and Dr. Clemon, the local veterinarians at Niles, filed in our office.

Now, honorable sir, if you look into the files of your department you will find that this inspector informed you by letter that the State veterinarian of Michigan reported the matter as very suspicious of foot-and-mouth disease, but that he (the inspector) found that it was necrotic stomatitis. He also sent specimens from the feet and mouths of these animals, that I helped him to secure, to your laboratory for investigation, and referring to this matter, a report was sent from your department to your Detroit office and was forwarded to us, which read as follows:

"Referring to the specimens from cattle at Niles which were forwarded to the Pathological Division, United States Department of Agriculture, Washington, D. C., for examination, you are respectfully advised that a report by the Chief of the Pathological Division has been received at this office, which states that the examination of the samples and the description of the lesions presented by the affected animals indicate very clearly that the condition is mycotic stomatitis, the symptoms of which, both upon the lips and extremities, bear considerable resemblance to those of foot-and-mouth disease."

Now, sir, you will observe by this report that your laboratory at Washington was very positive in this matter, and, as you are well aware, mycotic stomatitis is a noncontagious disease. As this report reached my office when I was confined to my bed by an accident, it was immediately forwarded to the local veterinarians at Niles. This report, coming as it did from the highest pathological authority on animal diseases in the entire country, was not questioned by either the local veterinarians, myself, or the live-stock owners. We took it for granted that the disease was just what your department reported it to be, a noncontagious disease, and it was allowed to run riot in the community.

While I was still confined to my room a report reached me that the disease was spreading, and as soon as I could travel I proceeded to Niles in company with Dr. Hallman, our pathologist, on September 26. At this time several other herds that had not previously been reported were found, and in nearly all cases the lesions had healed.

The CHAIRMAN (Mr. RUSSELL of Missouri). The time of the gentleman from Michigan has expired.

Mr. CRAMTON. If it is possible, Mr. Chairman, I will ask unanimous consent that I be allowed to proceed for five minutes more, and that that time shall not be taken out of the agreement.

The CHAIRMAN. The former Chairman of this committee gave the present occupant of the chair a list, and the time is distributed.

Mr. CRAMTON. I ask to be allowed five minutes, not to conflict with the agreement. I have taken no time on this bill heretofore.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAMTON. I read further:

As we had suspicion that this was not simply a noncontagious disease, we decided to inoculate a calf with material that had been obtained from some of the diseased animals. This calf was placed in my own barn that had not been used for animals for a year or more, and the pathologist injected some material that he had obtained from Niles into the mucous membrane of the upper lip. This animal showed the disease in the mouth in four days, but no foot lesions; but the lesions in the mouth were sufficient to satisfy us that the disease was infectious. This experiment was also reported to your department at Washington by the chief of the department at Detroit, stating that Drs. Dunphy and Hallman had inoculated a calf at East Lansing, and that the calf had shown an elevation of temperature, excessive drooling from the mouth, and erosions on the tongue. There must have still remained an element of doubt on the part of your department at Washington, for I understand one of your chief experts went to the bureau experiment station in Maryland and inoculated some calves with material that had been sent him from the cattle at Niles by the chief of the department at Detroit.

Now, sir, I take the liberty to state to you plainly, had not your own department made a fatal mistake in stating in the most positive manner that this disease was mycotic stomatitis, the disease might have been confined to one county in Michigan and one in Indiana. Please bear in mind that this mischievous report that was sent out from your own laboratory in Washington, couched, as it was, in the most positive terms, was the cause of the spread of foot-and-mouth disease in this country. I wish to emphasize the following facts: First, that the Federal man from your department in Michigan stated in his letter to the department in Washington that the State veterinarian of Michigan informed him that the disease, as it appeared at Niles, was very suspicious of foot-and-mouth disease, and in the face of this fact you state on page 17 of your report that the first information giving ground for suspicion that foot-and-mouth disease might be present came to your office on October 10, although his report was sent from Detroit about September 4. I call your attention particularly to these dates. On the 4th of September a letter was written you from Detroit stating that the State veterinarian of Michigan was suspicious that the disease was foot-and-mouth disease, and you make the statement in your report, on page 17, that the first ground you had for suspicion of foot-and-mouth disease was on October 10. Again, on page 15 of your report, you state that the gentleman I called from your Michigan department was an assistant inspector on the meat-inspection force of the Bureau of Animal Industry at Detroit, while your department is well aware that he was one of your experienced men, that had been a tagger, a stock inspector, meat inspector, and had reached a point where he was acting for a time as inspector in charge, and had been connected with your department for 14 years; further, that I took the precaution to inquire of this man before he came to Niles if he was familiar with foot-and-mouth disease, and was assured that he was. Now, the question is: Why should these misleading statements be placed in an official report? The only object I can see on your part would be to lead the public to believe that this man was simply an amateur and place the greater responsibility for any mistakes that had occurred on the State veterinarian of Michigan. I ask you plainly, would it not have been in better form for you first to rid your own department of the incompetents before attacking in an insidious manner the ability of the State veterinarian?

Now, sir, I have affidavits from the local veterinarians at Niles showing that this gentleman took issue with me at once in regard to the

diagnosis of the disease, and referred it to your Pathological Laboratory at Washington, and a true copy of the report on this matter you have already seen in this letter. I contend that this mischievous report, couched, as it was, in the most positive terms, was the cause of the great spread of foot-and-mouth disease in this country.

I wish to call your attention, further, to the fact that the expert that you sent to Michigan took the same precautions that I had taken at East Lansing, to inoculate a calf and produce the disease before you were convinced at Washington that the disease existed, simply because you did not get the same results immediately at your own experiment station. Another fact that I wish to impress upon the minds of the public is this: That the Live Stock Sanitary Commission and State veterinarian of Michigan placed a quarantine on live stock coming into this State from the Chicago Stock Yards on October 30, while your own quarantine was only issued to become effective October 31; and in this one day that intervened hundreds of cattle went out of the stock yards at Chicago into different States.

Further, you had been informed by the chief of your department at Detroit that Drs. Hallman and Dunphy, the State pathologist and State veterinarian, had adopted these same measures to determine whether the disease was infectious or not that your own experts adopted a week later.

Now, my dear sir, I can not understand why a gentleman occupying a high and honorable position could be cowardly enough to publish this report in a manner that would reflect on the reputation of a State official to cover the ignorant mistakes of his own department, as this mistake of your own department, written, as it was, in the most plain and positive terms, cost the United States hundreds of thousands of dollars. Looking at it from this standpoint, would it not be well for you to clean house in your own department first before you begin to throw out those covert criticisms of the actions of veterinarians not connected with your own department?

I do not believe that the gentleman that was acting chief of your department in Michigan at the time was to blame for not being able to diagnose this disease as it first developed in the State, as neither the symptoms nor lesions were plain in the animals which he and myself examined, and I further believe that this gentleman, as well as myself, had perfect faith in your great Pathological Department at Washington.

I can assure you, sir, that the statements I make in this letter are substantiated by either affidavits from the local veterinarians or reports under the signature of your own department, and I am writing this that the public may have a fair and true understanding of the conditions as they really existed.

Allow me to say in conclusion, that you have a number of gentlemen in your department whom I admire as professional men and respect as gentlemen, but somewhere in your mighty army of so-called experts you must have some incompetents, whose fatal mistakes have been very costly to the live-stock interests of the country.

I beg to remain, honorable sir,
Very respectfully, yours,

GEORGE W. DUNPHY,
State Veterinarian of Michigan.

[Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. SINNOTT. Mr. Chairman, as the paragraph of the Agricultural bill before us relates to "timely information" concerning "commercial movement, disposition, and market prices of fruits," I would like to have the Clerk read a letter which I have received from Mr. H. F. Davidson, of Hood River, Oreg., the agent of the northwestern shippers in New York. Mr. Davidson is an apple grower also. He has been representing the growers for a number of years. He came to Washington a few weeks ago to secure permission of the British embassy to ship apples to Denmark. His request was refused. Afterwards, on April 12, he wrote to me concerning his troubles. I would like to have the Clerk read that letter, which I submitted to the Department of State, and also a letter from the Department of State in reply thereto. They contain "timely information" about the "commercial movement and disposition" of apples.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

[H. F. Davidson, shippers' representative, domestic and foreign markets.]
NEW YORK, April 12, 1916.

Hon. N. J. SINNOTT,
Congressman, Second District Oregon,
Room 494, House Office Building, Washington, D. C.

MY DEAR MR. SINNOTT: Referring to our conversation yesterday regarding difficulties imposed by the British authorities with reference to shipments of fresh apples to Denmark during the past season, beg to advise you that we made shipments via the Scandinavian Line steamships to Copenhagen for the holiday trade on orders from Mr. Th. Olesen, our Copenhagen representative, on the S. S. *Oscar II* November 11, 1915; S. S. *United States* November 13, 1915; S. S. *Hellig Olav* November 18, 1915; S. S. *Frederick VII* December 3, 1915, or thereabout, to the amount of 20 carloads, which were landed at Copenhagen, but were held by the British Government officials until after the time for supplying the holiday trade was passed and then released to our representative, Mr. Th. Olesen, to whom the fruit was shipped, and we thereby sustained a heavy loss, which we have not been able up to this time to definitely ascertain the amount of, as the sale and settlements were delayed and we have not yet received full settlements for all of these apples.

Recently we received orders for 15 cars of fresh apples, of which 2 cars each were intended for Joseph Stam, Peter Meiniche, A. Anderson, and Valdemar Anderson, and 7 cars for Th. Olesen, and we engaged steamship space for 5 cars on each of the following ships of the Scandinavian Line to Copenhagen, which is the address of each of the above-named customers: S. S. *Oscar II*, to sail April 6; S. S. *Frederick VII*, to sail April 16; S. S. *Hellig Olav*, to sail April 27. The shipment of five cars for the S. S. *Oscar II* went as scheduled, but before the two last shipments moved and while the lot on the *Oscar II* is on the way we are advised that the British authorities have issued an order that no shipments of fresh apples will be permitted to be delivered to Denmark.

Having one shipment out in the ocean and two more in storage here in New York at heavy expense for the fruit, freight and other necessary expenses will force on us another heavy loss.

Kindly advise us as promptly as possible what can be done to relieve this disastrous condition, as fresh apples have not been considered contraband of war and this fruit is all intended for consumption in Denmark, and the purchasers have expressed their willingness to give proper bonds guaranteeing that none of the fruit would be permitted to go into Germany or any country which is an enemy of Great Britain.

Inasmuch as apples are a perishable product and the season for moving them such great distances safely will soon pass, it is highly important that extremely prompt action be had in order to save the fruit from perishing before delivery can be accomplished.

Trusting that relief can be had through your offices and those of your colleagues from this unfortunate, and, we believe, unwarranted situation, I am,

Yours, truly,

H. F. DAVIDSON,
Representing over 3,000 Fruit Growers
in the Pacific Northwest.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SINNOTT. Mr. Chairman, I would like to have time enough to read the letter written by the State Department in response to Mr. Davidson's letter.

The CHAIRMAN. The time for debate has been limited to 40 minutes, and the present occupant of the Chair has been given a list of names for recognition, which exhausts the time.

Mr. LEVER. I ask unanimous consent that the gentleman may have more time, notwithstanding the previous agreement.

The CHAIRMAN. The gentleman asks unanimous consent that the gentleman from Oregon [Mr. SINNOTT] have further time, not to be taken out of the time already allotted. Is there objection?

There was no objection.

Mr. SINNOTT. Mr. Chairman, the letter which I received from the State Department in response to Mr. Davidson's communication is as follows:

DEPARTMENT OF STATE,
Washington, April 15, 1916.

The Hon. N. J. SINNOTT,
House of Representatives.

Sir: The receipt is acknowledged of your letter of April 13, 1916, inclosing a letter from Mr. H. F. Davidson, dated April 12, in regard to the shipment of apples to Denmark.

I have taken up this matter unofficially with the British Embassy, which states that they have received a number of applications for "letters of assurance" with reference to the shipment of apples to Scandinavia.

A number of these "letters of assurance" have been issued, but some have been refused in view of the fact that foodstuffs are conditional contraband, and the large quantities of apples going forward to Scandinavia convince Great Britain that certain of these shipments are intended for reexportation to Germany.

The embassy, however, informs me that it is sending a special cablegram to the foreign office in an endeavor to ascertain whether it may not be possible to permit all these consignments of apples to go forward to Scandinavia.

The embassy promised to let me know as soon as they are in receipt of a reply from the foreign office, and as soon as I obtain any additional information from them I will again communicate with you.

This Government recognizes the right of American firms to ship goods, whether contraband or not, to neutral consignees in neutral countries. The department, however, is informed that steamship companies are refusing to accept various consignments of goods even though destined for neutral countries, and there is no power in this department to require them to alter their decision. This Government has had no part in the arrangement announced by the embassy in the public press in reference to the issuance of "letters of assurance" to American firms wishing to make shipments of goods to Scandinavia.

The whole subject of interference with neutral trade and the circumstances which have induced steamship companies to assume their present attitude are being given the careful consideration of the department.

Very truly, yours,

CHARLES A. HOLDER,
Foreign Trade Adviser.

In this letter it will be seen that the Department of State informs me that it has taken up the matter unofficially with the British Embassy, and that the embassy has wired to the foreign office to ascertain whether or not it could obtain permission for these apples to be shipped to Denmark. That was on the 15th of April, and since that time no word has been received by the Department of State about the subject, although I have twice by phone called up the department to inquire about the matter. Now, I am one of those who believe that these matters properly rest within the domain of vigorous diplomacy, but not within the domain of the complaisant and perfunctory diplomacy that has heretofore characterized our negotiations relating to interference with our trade with neutral countries. [Applause.] Mr. Davidson has been compelled to hawk about on the streets of New York 10 carloads of apples which the British Government has refused to grant him authority to send to Denmark.

Mr. COX. Absolutely to a neutral country.

Mr. SINNOTT. Absolutely to a neutral country, and where the consignees are willing to put up any kind of a bond that those apples will not reach German territory. Must we submit our next apple crop, our next wheat crop, to this imposition? I say, Mr. Chairman, it is time that this complaisant and perfunctory diplomacy ceases, and that in regard to interference with our shipments to neutral countries we would welcome in

this House as vigorous and trenchant a message as we heard a few days ago relative to submarine warfare. [Applause.] I am willing to leave these things in the hands of diplomacy; but when diplomacy fails, I think it is time that this House give serious consideration to a bill looking toward an embargo upon munitions of war. In that way this Congress may accomplish what diplomacy has failed to accomplish—respect for our trade with neutrals. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Chairman, I expect to offer an amendment to this paragraph which will provide that a part of this \$136,600 shall be expended for inquiring into the cost of transportation by rail or water and the cost of storage. The paragraph reads:

For collecting and distributing, by telegraph, mail, and otherwise, timely information on the supply, commercial movement, disposition, and market prices of fruits and vegetables.

The amount of money to be expended is \$136,600. If the intention of it is to eliminate the middle man, we should inquire into the rates of transportation and the charges and expenses for cold storage. One of the real differences of opinion between the producer and the consumer, such as the gentleman from North Dakota [Mr. HELGESEN] referred to, arises from the fact that there is a distinct cost, due very largely to our separated conditions, which neither party to the transaction, the producer or the consumer, thoroughly understands.

It is difficult for the farmer who gets 17 cents a dozen for eggs in Iowa to understand why he does not get more of the 50 cents a dozen the consumer in my district has to pay. It is hard for the consumer to understand it also, but some one must erect a cold-storage warehouse and some one must build a railroad, and all that costs money and must be charged in. There are many other expenses that must be charged up to the middle man, and they must be accounted for as between the producer and consumer. Without the middle man it is idle to talk about selling the products of the Middle West to the people along the Atlantic seaboard. There must be a means of transportation and there must be a medium of storage and of safe-keeping and preserving the product until the time for distribution comes.

Mr. STEENERSON. Will the gentleman yield?

Mr. MOORE of Pennsylvania? I do.

Mr. STEENERSON. How does the gentleman explain the fact, announced in the press, that the steamship lines plying from the Pacific to the Atlantic through the Panama Canal have now been abandoned because they can not compete with the transcontinental railroads?

Mr. MOORE of Pennsylvania. If that is true, that ought to delight the gentleman from Minnesota; but I suppose it is due to the increased freights that ships are now reaping on account of the war.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. HAUGEN. Mr. Chairman, I regret exceedingly that the gentleman from South Carolina [Mr. LEVER] should have made an uncalled-for and unwarranted attack on a member of his committee. I regret it not because the attack was directed at me but because it comes from a gentleman for whom I have the highest regard, and one who has always performed his duty with enthusiasm, industry, intelligence, and rectitude of purpose; and, so far as I know, he is dominated by noble and lofty ideals, hence I regret that the attacks should come from the distinguished gentleman. The gentleman takes great credit, and he deserves great credit, but when he takes credit for everything that has appeared in all appropriation bills, that includes items incorporated in the other branch of Congress, possibly a question mark should be added to his remarks. What seems unfair to me is that the gentleman should make an attack on a colleague of his committee for performing a solemn duty imposed by the leader of his own party, the gentleman from North Carolina [Mr. KITCHIN]. It will be remembered that the gentleman from North Carolina, at the opening of this session, served notice on the Republicans that unless every item of these bills was carefully scrutinized, and unless objections were made, Republicans would be held responsible for waste appropriations. I have not seen fit to criticize the gentleman because he finds it his duty to follow the estimates submitted by the department. It has not been my practice to criticize or question the motives of another Member who disagrees with me. I prefer to believe and give everybody credit of being as honest as I am. The gentleman is mistaken in his conclusion. I did not criticize the department, I merely stated certain facts in order to correct numerous misstatements. If I had had any desire to criticize, I say to the gentleman, there are many things to criticize; but errors are made, and anyone who will read the hearings, study the bill, and inform himself as to the

operations of this department, and you may add every other department, will not have to search deep for errors.

But even that is not a criticism, as the poet says:

Errors like straws on the surface flow;
He who will search for pearls must dive below.

I take it that the gentleman will concede that applies to the department also. A distinguished statesman said not long ago, "If the departments would adopt business methods in administering Uncle Sam's affairs, \$300,000,000 could be saved." The gentleman's party platform denounced Republican expenditures as "waste of money wrung from the people by oppressive taxation." His party assumed control. It is now in control, which includes the Department of Agriculture. His party in its first two years of rule added \$172,000,000 to the appropriations made and denounced as "waste of money wrung from the people by oppressive taxation." Still the gentleman feels warranted in attacking another Member for merely calling attention to a few unnecessary and unwarranted expenditures. When I arose I, of course, knew what to expect and how unpopular it is to refer to waste expenditures, and how fruitless is an attempt to correct a few of the many impositions upon the taxpayer. But having read party platforms and stump speeches full of encouragement and promises to the farmer and the taxpayer, and having listened to the many insinuations hurled on this floor at the people so eloquently eulogized on the stump, but generally classed by the representatives of the department and on this floor as ignorant and as wards of the department, I confess that my patience was finally exhausted, and I took occasion to call to the attention of the House these facts, and took the privilege of expressing my sentiment as to what might be expected of a Member of this House.

As the chairman of the committee it is his duty to follow instructions as they come. That is the unfortunate thing under our form of government and the practice of this House. There is no way to get away from it. The gentleman might not be justified in supporting a number of these appropriations, but it becomes incumbent on him as another leader of this House belonging to that party, and as we know, if he will sit at the pie counter he must do the bidding. That is nothing new; I am not criticizing the present administration. It has been the practice in years gone by.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. HAUGEN. I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask that the gentleman have two minutes more in order to answer a question.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. I should like to ask the gentleman if he can tell us, and he has been upon the committee a long time and his service to agriculture is undisputed, how many experts there are actually employed in the Department of Agriculture?

Mr. HAUGEN. On January 1, 1915, there were 16,233 employees on the roll. Add 162 increase and you have the number. There has been much said about the agricultural appropriations in the interest of the farmer. These 16,395 people also come in for their share.

Mr. COX. The most of them?

Mr. HAUGEN. The most of them.

Mr. MOORE of Pennsylvania. Does the gentleman know how much of this appropriation would go for the employment of experts?

Mr. HAUGEN. No; there is no way of knowing how many experts would be employed, because experts are made every day. [Laughter.] They appoint people who never spent a day on the farm, and yet they are employed to go out broadcast through the country and instruct the farmer how to farm, and they are classed as expert farmers.

Mr. MOORE of Pennsylvania. We have just passed an item appropriating \$285,000, and now here is this item appropriating \$136,000. Does the gentleman know how many men will be employed under these appropriations?

Mr. HAUGEN. As the gentleman knows, Congress has surrendered its right and power to fix salaries. Congress does not reserve the right that it has under the Constitution. We make lump-sum appropriations. We make them in the dark and the department appoints the people in any number it sees fit and fixes the salaries to suit its sweet will.

Mr. MOORE of Pennsylvania. The salaries are not specified, as in other bills?

Mr. HAUGEN. No.

Mr. MANN. Mr. Chairman, I hope this appropriation will not be stricken from the bill. I know of nothing on a small scale which involves greater economic loss than is occasioned by the destruction of fresh fruits and green vegetables. If we can so arrange through any method which may be perfected that the fresh fruit shall be consumed before it molds and decays and the green vegetables shall be consumed before they become too old or rot in the field or on the way we will have accomplished a most desirable purpose. This is an experimental work. No one knows just how much good can be accomplished, but it seems to me that it is worth while to make the experiment.

I have seen in the city of Chicago, within a distance of 8 or 10 miles, on South Water Street, which has the greatest market for fruits and vegetables in the world, field after field of vegetables rotting on the ground because it was not worth while to collect them and transport them by wagon down to the market, for the reason that people farther out in the country were sending great quantities of vegetables to South Water Street for which, owing to the glut of the market, they were receiving no return, and when in many other places there was a great demand for these vegetables at high prices.

I have seen in my limited experience great quantities of fruit sent to Chicago from places in Illinois where there was no return from the sale, when little towns between the place of production and the city of Chicago were clamoring for these fruits at reasonable prices. No one could tell except by collecting the information. The man who raises the fruit can not know of his own knowledge whether there is a glut in the Chicago market on a certain day or whether everybody is seeking to pour the fruit into the markets on that day.

A moment ago the gentleman said that the people around Philadelphia might send all their products to Pittsburgh and it would all go in on one day. It probably would not, but if the information could be had from day to day as to the state of the market at Pittsburgh they would know whether to send it there or not. If the information could be conveyed around the country without too great expense, so that the person who is raising or shipping these products quickly destroyed by time that they may know where there is a demand and where there is a glut in the market, we might save great quantities of fruits and vegetables, the result of hard labor and an investment of much money, which are now lost and absolutely destroyed. I think it is worth while to make the experiment and see if we can not find a way to save these things which are now lost and destroyed. [Applause.]

Mr. STAFFORD. Mr. Chairman, the proponent of this proposition is not content with indulging in experiments such as have been carried on for the past year, but before waiting to see whether they are efficacious he comes before the committee and agitates for an increase of appropriation of three or four times, without any information as to the ultimate cost that will be occasioned by this unheard-of experiment. If the Government is warranted in going into the field of business venture to determine the supply of commodities of a perishable character, then in a few years this Congress is going to be beset with a demand from the producers of staple commodities that it determine as to the quantity of those commodities that are on the rails and the warehouses throughout the country.

This committee brings in an appropriation bill aggregating \$24,500,000, not taking into account the \$6,000,000 on the permanent appropriation fund. Last year it was \$22,000,000 and the year before \$19,000,000, and yet the committee, that is supposed to be for economy, in this one item increases the appropriation by \$200,000. This work was carried on last year in a small way under the appropriation in a previous item, and that item has been increased \$64,000. Where is your much-vaunted economy, when you launch full force into an experimental field that you know nothing whatever about? Talk about economic distribution of perishable fruits. Why, if you are going to advise the producer as to the condition of the market, it will only tend to aggravate the glut in those respective markets. From time immemorial perishable fruit has congested in South Water Street, Chicago; in Philadelphia, and in New York. That will always be the condition there, because they are the great markets. I contend that anyone who knows anything about the subject knows that this information can be obtained from the newspapers and that it is furnished every day, and the growers of strawberries in the district adjoining that which I represent study those returns and send their products to the markets according to the price and the supply. And here this fanciful doctrinaire, the head of this division, who was formerly connected with the Civil Service Commission, and who is now the protagonist of this idea, wishes to establish headquarters in 25 or 30 leading markets of the country, having expensive men em-

played here at the department collecting this data daily as to the disposition of trainloads of fruit. If you can justify that as a governmental function, then you will be compelled to support a like investigation and daily report as to the quantity of eggs, the quantity of poultry, and the quantity of all kinds of products.

Mr. PLATT. Mr. Chairman, does not the gentleman think it would be of very great advantage to the farmer if everyone should have a ticker service in his house, showing what apples are worth and what other things are selling for each day?

Mr. STAFFORD. That only emphasizes in hyperbole the ridiculousness of this proposition that the Government shall go into a business venture to investigate the production and consumption of these commodities. Those things have in times past been taken care of under the existing distribution forces of the country, and they will continue to be, and this is no time to launch into an extravagant and wasteful proposition.

Mr. GOOD. Mr. Chairman, I represent a district where the activities are largely agricultural, and I would not knowingly do anything that would injuriously affect the agricultural interests of the country; but when I recall that a Democratic House was elected six years ago on a platform of economy, a program of retrenchment, at a time when we were spending \$13,000,000 a year under the Agricultural appropriation bill, and now realize that after six years of Democratic rule in this House that appropriation has been raised to about \$30,000,000, it makes me stop and think.

Mr. LEVER. Mr. Chairman, will the gentleman yield for a question?

Mr. GOOD. Yes.

Mr. LEVER. Does the gentleman oppose that kind of a program—appropriation for agriculture?

Mr. GOOD. I oppose it unless you can show that some material good has resulted from the increase. The gentleman from South Carolina stated a few moments ago that we commenced this work of investigating the question of markets in 1914 and secured an appropriation of \$50,000 for that purpose. Last year we appropriated for marketing this kind of crops \$238,000 and this year it has jumped to \$421,600. When are these increases to stop? Where has any beneficial result been obtained either for the farmer or for the consumer?

The gentleman from Illinois [Mr. MANN] has pointed out that the orange growers of California have entered into a combination—illegal, if you please, and in restraint of trade—by which they have avoided this glutting of the market, and by so doing they have held up the price of oranges, and the poor laboring man who a few years ago might, when the market was flooded, be able to buy a dozen good oranges for 20 cents, now finds that under this combination he must pay 40 cents for a dozen of good oranges. That may be all right for the orange growers, but how about the poor consumer that you are also going to legislate for? You have not increased the price by this kind of legislation to the farmer of a single article, unless it be to the growers of oranges; but according to the Department of Commerce you have increased the cost of living to every man, woman, and child in the United States. I do not know where you expect to get off with this kind of legislation. You are piling up unnecessary taxes that the people of the United States must pay to furnish jobs for thousands and thousands of men, but you can not point to a single beneficial result to either the consumer or to the producer. I do not say that the Agricultural Department is a failure. It has done some very good work. It has made some good investigations; but until you bring some good results, why do you not keep the appropriation down within reasonable limits? I would not object to an appropriation of \$238,000, the amount you had last year for the purpose, although it could well be questioned; but in order that you may pay the telegraph companies something, in order that you may sweeten them up, perhaps for election purposes, you are going to increase this appropriation for marketing \$136,000. If we were to adopt the amendment of the gentleman from Pennsylvania or a similar amendment, striking out the telegraph item and inserting an amendment that we should disseminate this information by use of the bulletin of the Atlantic Deep Waterways Association, just as good a result would be accomplished.

Mr. LEVER. How much time is there remaining, Mr. Chairman?

The CHAIRMAN. Ten minutes.

Mr. LEVER. Mr. Chairman, I wish the Chair would notify me when I have used three minutes.

This bill carries a total appropriation in round numbers of \$24,500,000, and most of that we have already passed over. We have only 7 pages more out of 79 of this bill remaining to consider. The bulk of the large appropriations have been passed

by this committee. The bulk of these appropriations, too, are used largely in the teaching of better methods of production.

The distinguished gentleman from Iowa [Mr. Goon], a member of the Appropriations Committee of this House, a committee that seems always, I am afraid, to look somewhat jealously on appropriations for agriculture, has permitted all of these other appropriations, involving millions of dollars, to pass by without one word of protest. [Applause.] And now when we come to the point in the bill where we appropriate the total sum of \$541,000 to teach the farmer or to help the farmer how to better distribute that which he produces, the distinguished representative from the Appropriations Committee throws himself into 40 fits of economy. [Applause.]

I am for economy, too. I would not join in recommending this item if I did not believe it was a wise expenditure of public money, that would bring back to the people 100 per cent in dividends. But I do somewhat object, Mr. Chairman, to people getting their economical fits only upon the agricultural appropriation bill. [Applause.]

The CHAIRMAN. The gentleman has consumed three minutes.

Mr. HAUGEN. Will the gentleman yield a minute?

Mr. LEVER. I have but two minutes.

Mr. HAUGEN. I do not want to take it out of your time.

Mr. LEVER. I promised the gentleman from Indiana that I would yield to him.

Mr. CULLOP. Mr. Chairman, there is no other department in this Government doing a more beneficial work, and to a more important class of industry in this country, than the Agricultural Department is doing. [Applause.] And more especially in educating the farmer how he may increase the productivity of the soil, how he may increase the quantity and variety of his crop, how he may find the best means of marketing it and supplying the hungry mouths all over the country. [Applause.] With 8,000,000 of people engaged in farming, who raise the products that feed more than 100,000,000 of people, the work of educating them how to increase and distribute their crops, how to market them, how to prepare them for market, as the Agricultural Department is now doing, is one of the most important functions of this Government. [Applause.] Every time that they educate the farmer in the way in which he is to prepare his products for market, better the crops, and better the quality of those going to the ultimate consumer for consumption, the more beneficial the work and the more profitable is the business to the farmer. This great work should be commended and encouraged from every possible standpoint by Congress in order that improved conditions may exist and the industry become more profitable. This department is extending and expanding its intelligent work year after year, and is rendering to the farmers valuable service which proves highly advantageous to them in many branches of the industry. The more the department cooperates with the farmer, the closer the relations, the more efficient the service is and the greater the benefits. We must not underestimate the value of the assistance or withhold some paltry sum which might cripple the industry or restrain its expansion. I fear in too many instances proper appreciation of this fact is not considered.

The marketing of crops is a most important feature of this great industry from the standpoint of both the producers and consumers, and more especially is this the case concerning perishable products. The market at one point may be glutted, and products wasted consigned to it, whilst at other markets there may be a scarcity. Hence if the producer can be advised of this fact, as here proposed, the producer can ship his products to a market where there is a demand, and sell them at a remunerative price. In this manner the interest of both producer and consumer are conserved to good advantage. It is a part of the function of this great department to serve the public to the best advantage, and in doing this it is performing a necessary and desirable purpose. It ought to be equipped so it can do it and if we afford the means for it to do so our work will be commended. Something has been said here about our inability to do so, because of a depleted Treasury, and we must economize. This great Government is not pauperized; it is abundantly able to incur and pay every necessary expense which will promote the welfare of its citizens and encourage its industries—help them. It has more available means to raise revenues than any country in the world, and its people are ready to respond in taxes for every useful and beneficial purpose for which they may be required. This is no place to use the pruning knife or to practice parsimony. We should encourage and assist this great industry and by this item it is proposed to render it a great service, and one that will be of great advantage to the whole people.

Mr. SUMNERS. Mr. Chairman, having spoken twice briefly during this debate on the Agricultural bill, I would not again ask the attention of the committee but for the fact that some suggestions have been made which indicate a lack of understanding on the part of some Members of the vital problems of agriculture and their relationship to the public welfare.

One of the gentlemen who has spoken in opposition to the item in this bill providing for the giving of telegraphic information to the producers of perishable products asks why this information can not be supplied by bulletins or gotten from the trade papers. That gentleman is an active Member of the House, well versed in general governmental matters, and yet he asks this sort of question with regard to one of the great vital problems of modern life. I want to answer that question, and, incidentally, do a little missionary work for my constituents and for his constituents. The Federal Government conducts many investigations and issues many bulletins. The fact is the departments of this Government are "chucked" full of knowledge hidden away in publications. Much of this information is out of date before the people get it, and much of it never reaches them at all. What the man wants who has perishable products for sale is information right up to the minute with reference to the supply and demand for these products in the various markets of the country and the movement to these several markets from the areas of production. Bulletins and yesterday's news he does not need. He has a car of stuff on the road, for instance. In four hours maybe it will have passed the point where he can change its destination. He wants to know about the markets—not yesterday, but now—before the car passes that point. In this connection I want to call attention to the fact that he needs something more, a central distributing agency which will route the moving commodities to the several markets in proportion to their several demands. While no provision is made for that in this bill, it does propose a service which would materially aid cooperative organizations undertaking to do that.

Mr. Chairman, one of the unanswerable criticisms of the Agricultural Department is that the farmers, after they have followed the instruction of the Federal Government in producing, if successful in increasing the total yield receive less value therefor than if the yield had not been so great. This is largely due to the present methods of sale and distribution. These perishable products go out into the dark to seek an unknown purchaser. They may rot on a sidetrack or in a congested market. Nobody can forecast what will be the result of the farmer's gamble in trying to convert his products into money. The Agricultural Department is now undertaking to lessen the hazard by giving to producers telegraphic information which will enable them to direct their shipments so that they will have a better chance to send them to markets needing them and so that they may be kept out of glutted markets. That is the purpose of this item. As indicated before, I do not regard the service proposed to be rendered as adequate, but it is in the right direction.

Mr. Chairman, another suggestion which I want to discuss was made by the gentleman next to the last one, I believe, who addressed the committee. He asks the question, What is the consumer getting out of this? Evidently he does not believe this legislation to be of beneficial concern to the consumer. I have listened very attentively to the debate on this Agricultural bill, and the general view seems to be that this legislation dealing with the problems of the farm is solely in the interest of the farmers and is a sort of distribution by the Federal Government to them as their share in the direct benefits dispensed by the Federal Government. The responsibility for this erroneous viewpoint rests, in some measure at least, upon certain of us in this House who represent agricultural constituencies. Our business is not to make our constituents think we are serving them. Our business is really to serve them. This "ranting" and defying, denouncing, and cavorting around does not get us anywhere. That is not the way these Members do here who really get results. Let us quit talking about the fact that we are fighting "old Rube" battles, and that sort of rot, and let us study, really study, these questions affecting the farm and demonstrate to the other classes that in our efforts in behalf of our farming constituents we are not trying to hurt anybody else, but are trying to promote the general interest. We can do it, because the facts are with us, and we can get results that way. That is the only way we can get them.

Mr. Chairman, an understanding of the problems of agriculture and their relationship to the general interest makes clear the fact that there is no conflict of interest between the men who produce and the men who consume the products of the farm. I am going to make that clear, because I want to have the problems of the farmer dealt with free from prejudice, free from class consideration, and upon the broad basis of the best in-

terest of the country as a whole. I ask nothing for the farmers which the common welfare does not require. If I can demonstrate to you gentlemen who live in the cities that your interest and the interest of my constituent who lives in the country are identical, in so far as the removal of certain difficulties which hamper my constituents are concerned, I will have rendered a valuable service not only to my constituents but to your constituents as well. I want to lay down a few propositions which, if they can be sustained, removes all doubt as to the correctness of the statement that the constituents of you gentlemen who live in the cities are interested with my constituents who live in the country in bringing to the American farmers better economic conditions. I shall direct your attention to only one phase.

We have heard much during this discussion of the waste resulting from the present methods of sale and distribution, especially of perishable products. You gentlemen who represent city constituencies may have been impressed when you heard the statements with reference to this waste; that it is unfortunate that the farmers suffered such loss; but I doubt if you realized that your constituents have shared in that loss.

The first proposition which I lay down is this, and I hope I may have the careful attention of the Members who represent city constituencies: Waste is a burden upon agriculture which the consumers of agricultural products must bear. The consumer must eventually pay for the waste. I grant the consumer is not paying it all now. A few years ago he was not paying any considerable part of it. This is why: With the improvement of agricultural machinery, which began to assume its greatest proportion a comparatively short time ago, the producing power of the individual farmer was greatly enhanced. The lack of educational equipment on the part of the mass of men engaged in farming handicapped them in the change of their vocation. The total producing power in proportion to consumption created such sharp competition among producers for the markets then available that the loss could not be shifted to consumers. So, when the products of the individual farmer perished before reaching a market, the loss rested upon him and his family. There was, of course, a rapid movement from the farm during all this time, but also a rapid improvement in agricultural machinery which offset, in so far as production was concerned, the relative numerical decrease of producers. But during these years of industrial revolution, wrought largely by steam and electricity, some very far-reaching things almost unnoticed have been under process of development, the effect of which we are now feeling. The consuming population has increased by leaps and bounds in proportion to the producing population. The fertility of the soil has suffered, and the country boy and girl have very generally been given the benefits of such education as affords to them freedom of choice among the vocations of the country. On yesterday, as time is measured in a country's development, the equilibrium between country and town dwelling population could be more nearly maintained without equality of opportunity, because the lack of general education on the part of the country boy and girl handicapped them in choosing among the vocations. Many of them were held by ignorance to the business of their parents. But we have a situation now, under which a very large percentage of those engaged in farming are equipped to do other things. They will not farm unless farming be made as profitable as any other business to them. Yesterday men were compelled to farm. They knew how to do nothing else. To-day they have freedom of choice, and can only be induced to farm by the payment of as much profit, not gross profit, but net profit, as any other business would give. I want to emphasize that it is net profit they must have. There ought to be no question as to the soundness of that proposition. If it be sound, it follows inevitably that consumers must take care of all the burdens upon production and distribution. They must do this because the profit which they must give to the farmer is a net profit. In the price, therefore, of the products which finally reach the table of the constituents of you gentlemen who represent city districts you must pay for the value of the products which rot on the farms and in congested markets after they have been produced and all the other avoidable, as well as unavoidable, burdens of agriculture. You must pay the farmers for them in order that they may have this net profit, which will prevent them from changing their business.

Mr. Chairman, I shall digress at this point to say to my colleagues from the great cities that you are just as much interested in proper rural-credit legislation as are the people who live in the country, because, if agricultural products must be produced under an exorbitant interest rate, your constituents who live in the city must pay that interest rate in order to give to agriculture the net profit which I declare men who farm must have, or they will change their business. Your constituents must have food to live, and they can not afford to have the number

of agricultural producers very much more reduced. Is not that a sound proposition? If you do much more reduce their numbers one of these times we will slip a cog in the machinery of production and you will not face the problem of the high cost of living merely, you will face the problem of getting something to keep yourselves alive. I know you are not paying all of this waste yet. You are not paying the entire interest charge yet, but this movement from the country to the city is not ended yet, either. Year by year you are paying more of it, and you will continue to pay more and more of it until you pay it every cent. This movement of population from the country to the city will not cease until you do pay every cent. That is fixed by immutable economic law. In this connection I want to make a prediction. The farmers of this country have been having meetings in community groups in State and in national assembly for the purpose of devising means of bringing to their business better economic conditions. The country at large has looked upon these efforts without any feeling of direct concern. The time is almost at hand when you people who live in the great cities will be having your meetings to deal with the very same problems which the farmers are now undertaking to deal with. You will be trying to devise a plan for getting to your tables those products which are rotting in the fields and on the sidetracks, because you will then know that you are having to pay for them, and you had just as well get the benefit of them. You will be trying to reduce the intervening charges.

Mr. Chairman, I am giving my support to this Bureau of Markets and Rural Organization not because I believe it to be adequate or that its activities indicate that those who have the determining of the scope of its activities have yet a clear, comprehensive view of what is necessary. I have spoken only of marketing perishable products. We need just as badly a system for the marketing of our grain, cotton, and live stock, but I shall not discuss that now. I am not trying to cover the whole ground. I have spoken with a very specific and definite purpose of replying in a general way to some criticisms and suggestions made during this debate and of trying to broaden the scope of direct interest in our great agricultural problems. To illustrate how far-reaching these matters are, a most interesting discussion of them could be developed from that standpoint of preparedness of which we hear so much now. Well-fed bodies are conducive to mental growth, moral development, and the higher sentiments of patriotism. Well-fed bodies not only fit men and make them willing in an emergency to defend their country but fit them for the commercial contests as well. The necessity for a nation's citizens to have sufficient wholesome food is an imperative national necessity, for a nation lives and acts only through its people. I have seen in my own State carloads of food decaying in the fields, because the price obtainable would not pay the expense of harvest and marketing, while at no great distance the prices charged for these products were prohibitive to the average family.

Waste of food, on one hand, because of lack of a marketing system, and loss of mental and physical stamina of the Nation's citizenship because of a lack of this food, are not only a national loss, they are a national disgrace. I shall not develop this thought further. I merely suggest these things as bearing upon the matters under consideration and to give another viewpoint of the vital and comprehensive importance of these matters which have been considered as only of concern to farmers. Another suggestion which I make in passing, aside from the increased producing power of a well fed and clothed workman over one not well fed and clothed, anything which would enable such a man to reduce the cost of his food and clothing would reduce the cost of manufacturing, for instance; for whatever be the manner of considering it, the cost of the operatives' food and clothing is one of the overhead charges which must be taken care of. The operative would, no doubt, share in the benefits of such a reduction. I shall not take the time to further develop this thought, either. There is a somewhat broader scope. The cheaper we can feed and clothe ourselves as a Nation, the less are the fixed charges upon the Nation's activities. The greater we can reduce these fixed charges, the greater will be our opportunities in the industrial contests of the world. In a consideration of these matters we had as well definitely understand that we can not reduce the farmer's profit, because he is quitting at the present profit. I am not making a plea for him. I am stating a self-evident fact. We must give him more profit to induce him to continue. There is no other way to keep him on the job. There is but one new place we can work, and that is in that far distance between the areas of production and of consumption. I am not fighting the middlemen. They are here because they are needed. If we develop a system in which they are not needed, they must go. My judgment is they will always be

needed, but not in such relatively great numbers as now. There is too much waste and too many toll takers. But the excess will be eliminated naturally and without any disturbance, if we get a better system. We spend too much time trying to destroy and too little trying to construct. We do not seem to realize that if we build a better house than the present one we will probably not have to tear the old one down in order to have it vacated and the new one occupied. At least we ought to build the new before we demolish the old, even if it does have many defects.

Mr. Chairman, we ought to build a comprehensive marketing machine. I do not mean that the Government should go into the marketing business. It should do with regard to sale and distribution what it is doing with regard to production, and give the people of the Nation a chance to eliminate this waste. It can be done. In this connection I will put into the Record a short bill which embodies my ideas as to how it can be done:

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized and directed to establish, at as early date as practicable, a farm-produce exchange, with such branches thereof as may be necessary, in order to afford a medium through which the economic and systematic sale and distribution of such products may be effected.

In the operation of such exchange the Secretary of Agriculture, as far as practicable, shall cooperate with the several States and the various agencies therein which may be utilized, and may formulate plans and regulations for exchange of service between them and such exchange.

It shall be the duty of each of the departments of the Government to furnish the Secretary of Agriculture with such statistics and data as they may acquire which would be useful in the operation of such exchange, and to render such other service in the sale and distribution of farm products through such exchange as it would be practicable to render.

The Secretary of Agriculture shall keep advised as nearly as practicable as to the details of the quantity, quality, location, and price at which held, of agricultural products and the volume and location of demand in the United States and abroad, and the price at which such products may be sold, and shall make such information available to the producers and purchasers of such products, and shall endeavor to bring about such system in the sale and distribution of such products as shall eliminate the waste and extremes in prices resulting from the present lack of system therein.

Those desiring to offer products for sale through such exchange may do so by grade or by sample delivered to such exchange, under such rules and regulations as the Secretary of Agriculture may prescribe, but all tenders of such products shall be for a definite quantity and quality: *Provided, however,* That the Secretary of Agriculture is authorized to permit contracts for the sale of such products to be made upon a basis grade, with the option to deliver other grades in fulfillment of such contract: *Provided, however,* That no contracts shall be made through said exchange permitting a delivery within a wider range of grades than the ordinary user of such product dealt in uses in the general conduct of his business wherein such products are used, nor upon any other delivery value difference than the commercial difference between the basis grade and the grade or grades delivered.

The Secretary of Agriculture is authorized to require such deposits in money, bond, or other guaranty of compliance with the obligation to deliver according to tender or receive and pay according to offer as in his judgment may be necessary to insure compliance with the contracts made through such exchange.

All information furnished by such exchange shall not be at a higher cost than that necessary to defray the expenses of transmission.

No charges shall be made to individual producers or to producers' organizations for services rendered in effecting sales of products grown by them or by their members, as the case may be.

The Secretary of Agriculture is authorized to establish such rules and regulations governing transactions through said exchange and the service rendered by said exchange as in his discretion may be deemed necessary.

This bill recognizes the necessity of lodging a large discretion with the Secretary of Agriculture, both as to details and as to time of installation. This would give us what we need, a machine which would make possible of utilization our present Government agencies and the private and organized constructive forces of the country. It would give us a basis for a personal rural-credit system in this country, but I shall not discuss that now. How long before we will do what is necessary I do not know, but I do know that upon all proper occasions I am going to press these matters upon the attention of Congress and of the country until it is done. I am not a crank on this subject. There are many other matters of great importance, but few, if any, of greater importance. I try to be an all-round Representative of my people. If I claim more time on these matters than on any others, it is because I have committed myself especially to them, and know more about them than I do about any other great matter claiming your attention. In other words, while endeavoring to care for my general legislative duties, I have cut this out as my job, and I am going to stay on it until it is finished. I am persuaded I could render no greater constructive service to my country.

The CHAIRMAN. The time of the gentleman from Texas has expired. The gentleman from Wisconsin [Mr. STAFFORD] moves to strike out the paragraph. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the "noes" seemed to have it.

Mr. HARRISON. A division, Mr. Chairman.

Mr. STAFFORD. Mr. Chairman, if the gentleman is going to insist on that sort of thing I am going to insist that there shall be a quorum present, so that there shall be a full expression of judgment on the part of the committee.

The CHAIRMAN. Does the gentleman from Mississippi withdraw his request for a division?

Mr. HARRISON. Yes. The gentleman from Wisconsin looks so lonesome over there that I relent. [Laughter.]

The CHAIRMAN. The gentleman from Mississippi [Mr. HARRISON] withdraws his demand for a division. The Clerk will read.

The Clerk read as follows:

For the investigation and demonstration of standards for the different grades, qualities, and conditions of cotton, and for investigating the ginning, grading, stapling, baling, marking, compressing, and tare of cotton, \$48,000: *Provided*, That of the sum thus appropriated \$28,020 may be used for testing the waste, tensile strength, and bleaching qualities of the different grades and classes of cotton in order to determine their spinning value and for demonstrating the results of such tests.

Mr. HAUGEN. Mr. Chairman, I made a request for unanimous consent a little while ago to extend and revise my remarks, and the question was not put. I wish to make it now.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that the debate on this paragraph and all amendments thereto may close in 10 minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BENNET. Mr. Chairman, I move to strike out the last word for the purpose of congratulating the committee on the retention of the paragraph by the rather close vote by which it was retained. [Laughter.]

I represent in part the State of New York, and there is no State in the Union that is more interested in that particular paragraph than is the State of New York, for we lead every other State in the Union in the production of orchard fruits, small fruits, and apples.

Mr. MANN. And the amount you eat.

Mr. BENNET. Yes; and the amount we eat, because we have the money to pay for it; and I will say to the gentleman from Illinois that we do pay for it, whereas other States may not. [Laughter.]

Mr. MOORE of Pennsylvania. And the gentleman carries the practice into the House.

Mr. BENNET. The practice of paying for things?

Mr. MOORE of Pennsylvania. No; the habit of eating apples.

Mr. BENNET. Yes; Presbyterians, of whom I am one, have that habit.

Mr. MOORE of Pennsylvania. If the gentleman's religion induces him to misunderstand me, I will say my purpose was to indicate that the gentleman from New York has been detected in the act of eating apples on the floor. [Laughter.]

Mr. BENNET. I will admit that.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. PLATT. Did the gentleman hear the gentleman from Oregon [Mr. HAWLEY] talking about some carloads of apples brought from Oregon to New York, where they had to hawk them around the streets in order to sell them? Is that a great hardship?

Mr. BENNET. There is no reason why Oregon should send any apples to New York anyway, when New York produces six times as many apples in value as the State of Oregon does. [Applause.]

Mr. PLATT. And better in flavor, too.

Mr. BENNET. Yes; they are better apples.

Mr. MOORE of Pennsylvania. Is the New York greening as good an apple as the Albemarle pippin?

Mr. BENNET. All our apples are "pippins."

Mr. HAWLEY. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. HAWLEY. Has the gentleman from New York ever eaten any of the Oregon apples?

Mr. BENNET. Not consciously. [Laughter.]

Mr. MANN. If the gentleman from New York will save his money he can afford to buy some. [Laughter.]

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. TREADWAY. I regret I can not join in the applause which greeted the gentleman's praise of the apples of New York. They may be better than the Oregon apples, but not better than the apples of Massachusetts. He will have to

include the apples of Massachusetts before he can get me to accept his statement. [Laughter.]

Mr. HAWLEY. Mr. Chairman, will the gentleman yield for one question?

Mr. BENNET. Yes.

Mr. HAWLEY. Did the gentleman know before that Massachusetts had ever raised apples?

Mr. BENNET. I have heard of it raising other things than apples.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. FESS. The gentleman from New York forgets Ohio. Ohio is the place of Johnny Appleseed. [Laughter.]

Mr. BENNET. I know about Ohio. In former times some Ohio people came to New York and got some apples, and got a man by the name of Johnny Something, and went back and planted some New York apples in the West and called them "Johnny Appleseed." That is the way they got them.

Mr. HULL of Iowa. Mr. Chairman, will the gentleman yield there? Does the gentleman know that the State of Iowa raises the prize apples of the country?

Mr. BENNET. Everybody will deny that. It can not be proved. [Laughter.] But I did not rise to talk about prize apples or anything of that sort. I rose to talk about volume, and I congratulate the committee that they had the breadth of mind and the clearness of vision to start this proceeding, which is of such great value to consuming States such as Massachusetts and South Carolina and the other Atlantic Coast States, where we are really embarrassed by the failure of our methods of distribution.

The gentlemen, I think, treated this item when it was before the House more or less facetiously; but if they lived in a city like New York, where it is so difficult to obtain the best of food at the lowest prices under any administration, they would realize what a debt of gratitude they ought to bear to the committee that has really made an effort to start something looking toward the better distribution of the small fruits.

Mr. GOOD. Will the gentleman yield for a question?

Mr. BENNET. Yes.

Mr. GOOD. Then the gentleman supported the prior paragraph on the theory that it would reduce the cost of fruit and vegetables?

Mr. MANN. No; that it would make a proper distribution of green things. [Laughter.]

Mr. BENNET. I did not support it because the gentleman from Illinois spoke for it. I supported it because it was right, and I presume the gentleman from Illinois supported it for the same reason.

Mr. HAWLEY. Mr. Chairman, for the enlightenment of the gentleman from New York, I should like to call his attention to a matter that appears on page 6142 of the CONGRESSIONAL RECORD, in the excellent remarks of the gentleman from Arkansas [Mr. JACOWAY]. Evidently the gentleman from New York has not been reading this important document, the CONGRESSIONAL RECORD, with his usual care. The gentleman from Arkansas quotes a statement from Mr. Yoakum relative to this matter:

The apple growers of Oregon based their marketing campaign upon special care and skill in packing. They succeeded so well that Oregon apples are found in the hotels and on the trains in the very heart of some of the finest apple lands in the country, in central New York, in Michigan, in the Ozark country of Arkansas and Missouri. In this instance marketing became a science as exact and as exacting as the business of selling steel billets or farm machinery or any other product of a carefully and accurately organized industry.

The gentleman from New York [Mr. BENNET] has spoken very eloquently of the apples that grow in that State, and I have no criticism to make of his remarks or of the apples of his State, except concerning the worms in them. [Laughter.]

Mr. MOORE of Pennsylvania. All the worms are provided for in previous paragraphs, are they not? [Laughter.]

Mr. HAWLEY. They have been partially provided for. We will take care of the rest of them subsequently.

Mr. MOORE of Pennsylvania. But you take care of the Oregon packing in this paragraph. New York has not gotten on to that yet.

Mr. BENNET. Will the gentleman yield to me to allow me to read the comparative statistics of the two States?

Mr. HAWLEY. Oh, it is not the quantity of apples of which we boast; it is their quality. [Laughter and applause.]

Mr. BENNET. What there are of the apples in Oregon are good apples. I remember now that the gentleman from Oregon brought here several crates at one time and treated us all to them; and they were good apples.

Mr. HAWLEY. Nothing like them in the world.

Mr. BENNET. Some people said that was fortunate, but I do not think so. They are very good apples.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FESS. Mr. Chairman, I rise to oppose this amendment.

The CHAIRMAN. The time fixed for debate on this paragraph and amendments thereto has expired.

Mr. LEVER. Let us read the next paragraph.

Mr. FESS. I am afraid the apple interest will be gone.

Mr. MANN. Not if the gentleman brings a barrel of them here—the interest will not be gone. [Laughter.]

The Clerk read as follows:

To enable the Secretary of Agriculture to make studies of cooperation among farmers in the United States in matters of rural credits and of other forms of cooperation in rural communities; to diffuse among the people of the United States useful information growing out of these studies, in order to provide a basis for a broader utilization of results secured by the research, experimental, and demonstration work of the Department of Agriculture, agricultural colleges, and State experiment stations, \$32,860.

Mr. PLATT. Mr. Chairman, I move to strike out the last word.

Mr. LEVER. I ask unanimous consent that debate on this paragraph and amendments thereto close in 10 minutes.

Mr. BENNET. Make it 20 minutes.

Mr. MANN. I hope somebody will give us some information about the status of the rural-credit proposition. I do not desire any time myself.

Mr. LEVER. Make it 15 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate on this paragraph and amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. PLATT. Mr. Chairman, in reading this paragraph my eye was caught by the words "rural credits," and I wondered just what the Secretary of Agriculture was going to do in the line of cooperation among the farmers of the United States in the matter of rural credits. Various farm publications, farm agitators, and politicians have been undertaking to teach the farmers that if they can only have rural credits they will not need to plant crops, but that crops will grow without planting, and not only will they grow without planting, but they can sell them without marketing them. They will not need any of this appropriation of \$136,000 in the preceding paragraph. That will be absolutely unnecessary if they have rural credits. I should like to get some information from the chairman of the committee as to whether the Department of Agriculture will enlighten the farmers as to just what rural credits mean, what they expect to get, and what it is all about, anyway. The Committee on Banking and Currency, of which I am a member, has reported a farm-mortgage rural-credit bill, but in the present state of the agitation that bill or any bill that is any where near rational will prove a tremendous disappointment to such farmers as put their trust in the agitators.

Mr. LEVER. As I understand it, the Department of Agriculture under this item for the past two or three years has been making a very careful investigation of the farm-credit facilities of this country. As a member of the joint committee of the two Houses that prepared the rural-credits bill, I remember that the committee had before it Dr. Thompson of this office. I think the gentleman from New York [Mr. PLATT] knows him.

Mr. PLATT. He is a very able man.

Mr. LEVER. I regard him as a very able man.

Mr. PLATT. Undoubtedly.

Mr. LEVER. I think the suggestions and facts and statistics furnished by that gentleman to the Joint Committee on Rural Credits—I have no doubt he also furnished the same to the Committee on Banking and Currency—would justify this appropriation if nothing else had been done under it. The department has recently issued a bulletin warning farmers against going into claptrap rural-credit associations which have begun to spring up here and there in different parts of the country. Very likely that bulletin in its results will be very beneficial and effective.

Mr. PLATT. Will the department probably inform the farmers that they do not need to have the United States Government loan them money at 1 per cent in order to live and furnish food for the rest of us?

Mr. LEVER. The gentleman has as good an idea of Dr. Thompson's views on that subject as I have, and also the views of the Secretary of Agriculture on the same subject.

Mr. PLATT. Does the gentleman have any idea how much of this appropriation will be used for this purpose?

Mr. LEVER. About \$24,270 for rural credits, rural insurance, and rural communication.

Mr. PLATT. That is a pretty large amount, and it ought to accomplish something.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. MOORE of Pennsylvania. I would like to ask the gentleman whether any other department of the Government is making inquiry into rural credits?

Mr. LEVER. Not to my knowledge.

Mr. MOORE of Pennsylvania. Reading this and the next paragraph will convince most anyone that there may be something in the suggestion of a duplication of work. For instance, in the paragraph passed a moment ago for the investigation and demonstration of standards for the different grades, qualities, and conditions of cotton, and for ginning, grading, stapling, baling, and so forth, \$48,000, it would appear that we have already passed special legislation with respect to that. May not that be a duplication?

Mr. LEVER. There is no duplication. I will say to the gentleman from Pennsylvania that the line of demarcation between many of these items is very narrow. The contact is very close, but there is no real duplication of the work.

Mr. MOORE of Pennsylvania. I do not want to rise again when the paragraph is read, so I will speak of it now. At the top of page 78 there is an item:

To enable the Secretary of Agriculture to cooperate with the several States in the employment of agents to acquire and diffuse useful information connected with the distribution and marketing of farm products through investigational, demonstrational, or extension methods, \$20,000.

We have just appropriated \$285,000 in one item and \$136,600 in another item, and it would appear as if this \$20,000 was for the same kind of work.

Mr. LEVER. Not at all; the item the gentleman has just called attention to proposes to employ agents, half of whose salaries shall be paid by the Federal Government and half by the State government in States in which market systems have been organized. It is for cooperative work and for the purpose of correlating the market activities of the Federal Government with the existing market activities of the State government.

Mr. MOORE of Pennsylvania. And the prior appropriations will not be used for cooperative work?

Mr. LEVER. Absolutely not.

Mr. MADDEN. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. MADDEN. Does the department send salesmen out to market the products of the farmer?

Mr. LEVER. No.

Mr. MADDEN. What do they do?

Mr. LEVER. I am afraid the gentleman is making me repeat a story that I have told once or twice this morning.

Mr. MADDEN. Well, the gentleman always speaks lucidly and gives much information.

Mr. LEVER. The purpose of the Bureau of Markets, including all the various items, is to develop the most economical system of marketing farm products in this country with the view of disseminating the information when collected.

Mr. MADDEN. If the gentleman had a big farm and raised a lot of corn he would go to the Department of Agriculture and get the information of where he could find a buyer?

Mr. LEVER. No; the department has not advanced to that point yet.

Mr. MADDEN. To what point have they advanced?

Mr. LEVER. The information of the character suggested by the gentleman is furnished under the item above, on page 72, lines 3 to 6, with reference to perishable products.

Mr. MADDEN. Hay would not be a perishable product, and neither would corn.

Mr. LEVER. No.

Mr. MADDEN. Hogs would be. [Laughter.]

Mr. LEVER. No; these appropriations are with respect to vegetables and fruits.

The Clerk read as follows:

To enable the Secretary of Agriculture to cooperate with the several States in the employment of agents to acquire and diffuse useful information connected with the distribution and marketing of farm products through investigational, demonstrational, or extension methods, \$20,000.

Mr. BENNET. Mr. Chairman, I move to strike out the last word.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. BENNET. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman from South Carolina why, if he uses the alleged words "investigational" and "demonstrational," he does not also use "extensional"? I do not admit for a moment that there is such a word as "investigational" or "demonstrational," but, if they are words, then "extensional" is a word, and we ought to have harmony.

Mr. LEVER. If the gentleman will offer an amendment, I will accept it.

Mr. MADDEN. I wonder whether the gentleman from New York raised the question of the proper way of spelling these words for the purpose of creating harmony or discord?

Mr. BENNET. Mr. Chairman, I move to amend by striking out the words "investigational," "demonstrational," and insert in lieu thereof the words—

Mr. LEVER. The better way would be for the gentleman to move to strike out the word "extension" and insert in lieu thereof the word "extensional." [Laughter.]

Mr. MOORE of Pennsylvania. Is the gentleman sure that his amendment would not strike out a few experts?

Mr. BENNET. If it did, I should not shed any tears.

Mr. Chairman, I move to amend, in lines 4 and 5, by striking out the words "investigational" and "demonstrational" and inserting in lieu thereof the following: "Investigation, demonstration, or by extension methods."

Mr. MANN. Oh, that is worse yet. [Laughter.]

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 73, strike out, in lines 4 and 5, the words "investigational demonstrational, or extension methods" and insert in lieu thereof "investigation, demonstration, or by extension methods."

Mr. BENNET. I ask unanimous consent to modify the amendment by striking out the word "by," so that it will read "or extension methods."

Mr. LEVER. Mr. Chairman, I hope the amendment will be defeated.

Mr. MANN. The gentleman from South Carolina has brought his dictionary down to date, while the gentleman from New York has not.

Mr. BENNET. The trouble is that there are not any such words.

Mr. MANN. Oh, not in the gentleman's dictionary.

Mr. LEVER. But the Committee on Agriculture can make words.

Mr. BENNET. Nor in the House dictionary.

Mr. MANN. That is a little old.

Mr. BENNET. If the House is satisfied with the language, the gentleman from New York is; but it does seem as if in a body such as this, which is assumed to be fairly up to date in education, we ought not to coin words.

Mr. FESS. Mr. Chairman, I would like to ask the chairman of the committee a question.

Mr. MADDEN. Mr. Chairman, I raise the question that the gentleman ought to speak to the amendment, and I would like also to have him make the distinction between "investigational" and "extensional."

Mr. FESS. I am speaking to the amendment. I would like to ask the chairman of the committee whether he prefers the use of the word "investigational" to the word "investigation"?

Mr. LEVER. Mr. Chairman, I will say frankly to the gentleman that I do not think I have any objection to that. I think the words mean the same, even though they do not look the same.

Mr. MANN. Why not say "investigation methods"?

Mr. LEVER. Mr. Chairman, the gentleman from Oregon [Mr. HAWLEY] has called my attention to the fact that you would be qualifying a noun with a noun.

Mr. FESS. A noun very often is used with an adjective meaning. We say "nomination convention." That is quite proper. Convention is a noun and nomination is made an adjective, but I should think the chairman of the committee would prefer the word "investigation" to the word "investigational."

Mr. LEVER. I would say very frankly to my friend from Ohio that the Committee on Agriculture believes it has among its membership one of the greatest grammarians in this body. I refer to the gentleman from Oregon [Mr. HAWLEY], and this passed his critical eye and I would not like to take any backwater on the proposition. [Applause.]

Mr. FESS. Then I will ask the gentleman from Oregon whether he indorses the word "investigational"?

Mr. HAWLEY. In the relation to which those three words stand to the word "method" I think the three adjectives are properly used.

Mr. FESS. The gentleman prefers the use of the phrase "investigational method" to "investigation method"?

Mr. HAWLEY. I think I do.

Mr. PLATT. Should we not also say "extensional"?

Mr. FESS. Then I will say that I regret that the committee chooses to use that sort of language and embody it into the law.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. BENNET) there were—ayes 18, noes 44.

So the amendment was rejected.

Mr. GOOD. Mr. Chairman, I move to strike out the last word.

Mr. LEVER. Mr. Chairman, I understood debate on this paragraph and all amendments thereto was closed?

The CHAIRMAN. The gentleman is correct about that.

Mr. GOOD. I will say to the gentleman that I requested time on this amendment, and only one person has been recognized.

Mr. LEVER. Is the time exhausted?

The CHAIRMAN. The Chair can explain the situation. Some other gentleman took the time that the Chair expected the gentleman from Iowa to use.

Mr. MANN. The only gentlemen who spoke were the gentleman from New York [Mr. BENNET] and the gentleman from Ohio [Mr. FESS].

The CHAIRMAN. The gentleman from Oregon [Mr. HAWLEY] spoke.

Mr. MADDEN. But he used only about a minute.

Mr. LEVER. I reserved five minutes for myself, which I have not used.

Mr. MANN. The gentleman from Oregon did not have the floor on this amendment.

The CHAIRMAN. He occupied it for a long time.

Mr. MANN. He answered a question asked by the gentleman from Ohio [Mr. FESS], and he did not have the floor.

Mr. LEVER. Mr. Chairman, I have five minutes in my own right, and I will be very glad to have the gentleman from Iowa use two or three minutes of that.

Mr. GOOD. Mr. Chairman, this is not only new and exceptional language, but it is a new and probably exceptional provision. It is barely possible that it is a meritorious provision; I do not know, but I have been led to believe that a good many of these new provisions are inserted just to provide for new jobs. I was told the other day, and reliably informed, that seven persons from the Department of Agriculture hired two automobiles at Government expense and drove 20 miles to attend a meeting advertised by the Department of Agriculture to be held among the farmers for the purpose of gathering and disseminating information, and that not a farmer attended the meeting, not a woman attended, not a child attended, and those seven persons there at Government expense got up one after the other and delivered their addresses. If that is a sample of the way we are spending the money of the people of the United States, money that we do not have in the Treasury, it is high time to call a halt on some of these new propositions.

Mr. DOOLITTLE. Mr. Chairman, would the gentleman mind telling where this was and when it was?

Mr. GOOD. I do not know when it was. They drove out from the city of Washington, and the gentleman can find the information.

Mr. LEVER. The gentleman can not find it with that kind of information.

Mr. DOOLITTLE. Does the gentleman believe that is true?

Mr. GOOD. I said the city of Washington. I want to correct that statement. It was from the city of New Orleans. Yes; I believe it to be true.

Mr. DOOLITTLE. Why does not the gentleman have a little more information that he can give us?

Mr. GOOD. Oh, the gentleman can get the information. The trouble is that gentlemen on that side do not want the information; you simply want the jobs, and you want to open an almost empty Treasury to pay for them; you want to tax the people of the United States for joy rides. That is what I am opposed to.

Mr. DOOLITTLE. Will the gentleman tell us who told him?

Mr. GOOD. Of course I will not tell the gentleman. I will not betray a confidence in that way, but the gentleman can get all the information, and he will find it is correct. The gentleman is on the committee.

Mr. DOOLITTLE. What was the date?

Mr. GOOD. I did not get the date. I got the number of persons, the number of automobiles, and the number of miles traveled, and the fact that not a soul attended but the paid experts of the department, and it then occurred to me I had gone into the matter as far as I ought to on a first inquiry. I will try again if you insist.

Mr. DOOLITTLE. What year was this, anyhow?

Mr. GOOD. Just recently. I am referring to the present administration of the Agricultural Department.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For general administrative expenses in connection with the lines of investigation, experiment, and demonstration conducted in the Office of Markets and Rural Organization, \$19,500.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in 16 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and amendments thereto close in 16 minutes. Is there objection? [After a pause.] The Chair hears none.

The gentleman from New York [Mr. BENNET] is recognized.

Mr. BENNET. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman from Oregon, who seems to be the expert on style in the Committee on Agriculture, if, in line with the new words adopted in the preceding section, the word "administrative," in line 6, ought not to be changed to "administrational"? He seems to have adopted that form of terminology. And if not, why not?

Mr. HAWLEY. I have the greatest regard for the gentleman from New York, and I will ask him if he thinks it ought to be changed?

Mr. BENNET. It is not a question of the gentleman's regard for me, but the question is as to the gentleman's regard for English grammar.

Mr. HAWLEY. I would like to get the gentleman's attention—

Mr. BENNET. If we have gone into the use of the Roumanian language—I recognize the source—and if we are going to write our bills now in Roumanian under this administration, I say, Yes; let us write them in Roumanian throughout. Let us drop the "ive" at the end of the words and put in the Roumanian "al." I do not know why we are so bound by foreign customs during this administration. I think the gentleman, as a Member of the American Congress, should have some pride in standing by the American language.

Mr. HAWLEY. I am not so familiar with the Roumanian language as the gentleman is, my parentage being all American.

Mr. BENNET. I have only two parents, and both of them were born in America. [Laughter.]

Mr. HAWLEY. This word has been used in this sense in this bill for ever so long, and as it has such a well-defined meaning, I can see no reason why it should be changed.

Mr. BENNET. The only reason is to be consistent, and I must say that I sympathize with the gentleman's stand in relation to this particular word, and I think he was wrong in the preceding paragraph. But the House has voted, by 44 to 18, that there is such a word as "demonstrational," and the Democratic Party has made so few contributions to anything worth while in this Congress that I am rather glad they have done that.

Mr. MADDEN. Mr. Chairman, I was wondering, when I saw the language of this paragraph, why it was that the items of expense were not specifically appropriated for, so that we might know how many men were to be employed in this administrative work and what the compensation was to be. It seems to me we ought to be able to ascertain definitely how many men it will take to do this administrative work and to incur this administrative expense in this administrative division of the executive branch of the Government known as the Agricultural Department, and this does not give us any information at all. Why is it that we continue to appropriate in lump sums and keep the information from the Congress and the people as to what salaries are paid and to whom they are paid and why they are paid?

Mr. LEVER. This item is not different from other items in every bureau in this bill. Nor is it different from the policy that has been pursued in this bill ever since I have been a member of the Committee on Agriculture.

Mr. MADDEN. But the fact that that has been the policy and the item is similar to this is no good reason it should continue.

Mr. LEVER. We can give the gentleman the information.

Mr. MADDEN. Why is it not printed in the bill?

Mr. LEVER. It is printed in the Book of Estimates. All lump sums are carried in the same way.

Mr. MADDEN. Does it not give the department wider latitude in the employment of men than it ought to give them, instead of making specific appropriation for the employment?

Mr. LEVER. Not any wider than any lump sum.

Mr. HAWLEY. Does not the great Committee on the Post Office and Post Roads make appropriations in this form?

Mr. MADDEN. No. The Committee on the Post Office and Post Roads says that there shall be 10,000 men of class 1, 10,000 men of class 2, and 10,000 men of class 3, at \$800 and \$900 and \$1,000 each, in certain branches of the service.

Mr. HAWLEY. We do that in all the statutory rolls, but the scientists in the department we never have put on the statutory roll.

Mr. MADDEN. This is a clerical roll, though. It must be necessarily. It is administrative. It can not be scientific.

Mr. HAWLEY. All the clerks employed, except for temporary purposes in this particular bureau, are set forth in the statutory roll at the beginning of the appropriation for the bureau.

Mr. MADDEN. I can understand that where the department requires scientists to do the work of a given branch of the service that it can not very well put them on the statutory roll, but here is the administrative branch of a given bureau, where all the work must of necessity be clerical, and it is easy to set out the number.

Mr. LEVER. If the gentleman will yield, I will say to him that there are only two salaries out of this entire sum—that of the assistant chief of the office, at \$3,500, and one scientific assistant, at \$1,800, traveling expenses \$5,150, and miscellaneous expenses, and so forth.

Mr. MADDEN. What do the miscellaneous expenses consist of, and why have they such large traveling expenses?

Mr. LEVER. This is the administrative item for this entire bureau, and necessarily men selected by the chief of this bureau must spend a good deal of time in the field.

Mr. MADDEN. The gentleman thinks this is the best way to make the appropriation for this branch of the service?

Mr. LEVER. Yes. I will say to the gentleman very frankly, it is the only way that we could work out that was at all satisfactory.

Mr. MADDEN. The committee is satisfied that they have all the information as to what the expenses are for, and that they are along economical lines.

Mr. LEVER. Yes. We have a check on them, and they are set out in detail here.

Mr. MADDEN. They do not give information as to how they are going to spend the funds, but how they have been expended?

Mr. LEVER. No. They are set out in the estimates as to how they are going to be expended.

Mr. HAWLEY. And in the program of work they are set out.

Mr. LEVER. Yes; they are set out in the program of work.

Mr. HEFLIN. Mr. Chairman, I regret exceedingly that so many gentlemen on the other side of the House wait for an opportunity to get into the Record to fight this Agricultural appropriation bill.

This is the bill of all bills that go through this House that benefits the agricultural class of our people, and I am surprised at some gentlemen on that side getting up here and fighting with all their might and main this bill, which means so much to the farmers of this country.

The gentleman from Iowa [Mr. Goon] seems to take delight in fighting, with all the earnestness that he has, these measures that benefit the farmers of the West, the farmers of the East, the farmers of the North, and the farmers of the South. Why, the gentleman becomes very vehement in his fight here against provisions in this bill, and he says it is trying to give somebody a job.

Why, Mr. Chairman, we must have men—experts—men qualified to serve this great agricultural mass. We are living in a progressive age. We are trying to carry the best information that we can obtain by all the power of this Government; we are trying to lay it at the door of the farmers of the West, of the East, of the North, and of the South; and the gentleman from Iowa rises up here and fights appropriations that benefit these people, that carry information to them. He says they want a few jobs.

The gentleman belongs to a party that was in power 16 years in every branch of the Government. [Applause on the Republican side.] It was so extravagant during all that time that Mr. Aldrich, Republican leader of the Senate, said it squandered \$300,000,000 a year. It was so extravagant and wasteful of the public funds that Mr. Taft, a Republican President, said they had squandered \$100,000,000, and the gentleman was unable to point out where we were misappropriating as much as \$10,000 for all the farmers of the United States. [Applause.]

The gentleman talks here and seriously undertakes to entertain this House with a hearsay statement that floated about down in Louisiana, where seven men went out to lecture to the farmers and the farmers were not there and they lectured each other. [Laughter.] I do not believe a word of it. The gentleman talks that sort of stuff in this House in throwing

himself against an appropriation that benefits the farmers of his own State and the country. If the gentleman keeps up that sort of fight, I want to make this prediction to him: In this fall campaign he will go to many places to speak where there will not be anybody there but him. [Applause and laughter.]

Mr. HAUGEN. Mr. Chairman—

Mr. HEFLIN. I was speaking of the other gentleman from Iowa, although you have made yourself liable, too. [Renewed laughter.]

Mr. HAUGEN. Mr. Chairman, how much time is there?

The CHAIRMAN. The gentleman from Iowa has three minutes. That is the amount of time left.

Mr. HAUGEN. Mr. Chairman, that will be enough. In response to the statement of the gentleman from Alabama [Mr. HEFLIN] I desire to say that if I remember correctly, Mr. Chairman, the Democratic Party declared in its platform in favor of a return to "that simplicity and economy which befits a democratic Government, and a reduction in the number of useless offices, the salaries of which drain the substance of the people." It denounced the Republican Party as having been guilty of "a profligate waste of money wrung from the people by oppressive taxation through the lavish appropriations of recent Republican Congresses, which have kept taxes high and reduced the purchasing power of the people's toil."

I have before me a table giving the appropriations for two years that were denounced by the Democratic Party. According to the table, appropriations made by a Republican Congress were, for 1911, \$978,521,087.68; for 1912, \$995,799,462.72; total for the two years, \$1,974,320,550.60. Appropriations made by the present Democratic Congress are reported to be, for the fiscal year 1914, \$1,057,605,694.40; for 1915, \$1,089,408,777.26; total for the two years, \$2,147,014,471.66, which is \$172,693,921.26 in excess of appropriations for 1911 and 1912, which they denounced as waste of money wrung from the people by oppressive taxation.

Notwithstanding the fact that the Republican administration turned over to you \$149,000,000 in cash available for the payment of running expenses, you had to add another burden upon the people of \$100,000,000 under the misnamed "war tax." You undertook to excuse the crime by charging it up to a war 3,000 miles away. You boasted of your pension legislation. The table shows that appropriations made for Army, Navy, and fortifications for the fiscal year 1915 were \$11,228,690.07 in excess of appropriations for the fiscal year 1914; but appropriations for pensions is less by \$11,150,000, besides two battleships, the *Idaho* and *Mississippi*, were sold and \$4,635,000 out of the proceeds of the sale were turned into the Federal Treasury, and adding that amount to the decrease of appropriations for pensions, instead of having an increase of appropriations because of war, we have a decrease of \$4,556,309.93.

Thus another plank of the Democratic Party was smashed. The punishment inflicted, though only \$172,000,000 in two long years, evidently was sufficient to set the people thinking, and, as the gentleman knows, the Democratic majority in the House was materially reduced. Evidently the breach of promise and the humiliation added to the unnecessary burden was more than many loyal supporters could endure, and it is possible that if the Democratic Party, now in control, continues to add to the burden already imposed, Mr. Voter may be curious to know why this "waste of money wrung from the people by oppressive taxation." [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Iowa has expired. The Clerk will read.

The Clerk read as follows:

Enforcement of the United States cotton-futures act: To enable the Secretary of Agriculture to carry into effect the provisions of the act approved August 18, 1914 (Public No. 174, 63d Cong.), entitled "An act to tax the privilege of dealing on exchanges, boards of trade, and similar places in contracts of sale of cotton for future delivery, and for other purposes," including all expenses necessary for the purchase of equipment and supplies; for travel; for the employment of persons in the city of Washington and elsewhere; and for all other expenses, including rent outside of the District of Columbia, that may be necessary in executing the provisions of this act, \$120,750.

Mr. BENNET. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from New York reserves a point of order on the paragraph.

Mr. LEVER. Mr. Chairman, I suggest to the gentleman that he make the point of order.

Mr. BENNET. Then I make the point of order, Mr. Chairman.

Mr. LEVER. I submit, Mr. Chairman, that that is not subject to a point of order. It is authorized by existing law, the cotton-futures act of 1914. This is to carry it into effect.

Mr. BENNET. Mr. Chairman, there is an act known as the cotton-futures act, which was passed on the date set out in the paragraph; but by a decision of the Federal court, contained in volume 226 of the Federal Reporter, page 135, in the case of Hubbard and others against Lowe, internal-revenue collector, that act was declared to be unconstitutional.

Mr. HEFLIN. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. HEFLIN. Does the gentleman know that an appeal has been taken in that case and is now pending in the Supreme Court, and that until that court acts, it is not declared unconstitutional?

Mr. BENNET. The gentleman from New York knows nothing of that sort, so far as the conclusion is concerned. Of course, the gentleman from Alabama, as a good lawyer, will admit that the decision of any court is the law until it is reversed. This is the existing law.

Mr. HEFLIN. Not until the higher court acts, if an appeal is taken; but until the appeal is taken the judgment of the lower court is the law. Until a decision is rendered on the appeal you could not stop the business; not until the higher court acts.

Mr. BENNET. That would be a very comforting rule if it were true. I have unfortunately once or twice in my life represented defendants against whom judgments were obtained and had to appeal from those judgments. Now, under the logic of the gentleman from Alabama [Mr. HEFLIN], the moment I appealed from those decisions it set aside the judgment; but I have never been able to convince any court that it did.

Mr. MANN. That is just exactly what it does.

Mr. BENNET. Here is what Judge Hough said in the first line of his decision, and I will say to the Chairman that it is very applicable:

That an unconstitutional statute is not a law at all is a proposition no longer open to discussion.

And then he proceeds, through several pages of opinion, to demonstrate that the law is unconstitutional, and he so held it. The headnote of the decision, or that portion of it which is in point, is this:

The cotton-futures act, having originated in the Senate, contrary to the constitutional requirement that bills for raising revenue shall originate in the House of Representatives, is not and never was a law.

And of course, following that out logically, if it never was a law then there is no authority for the appropriation reported by the Committee on Agriculture, and therefore the provision is subject to the point of order.

Mr. HOWARD. Mr. Chairman, will the gentleman yield for a question?

Mr. BENNET. Certainly.

Mr. HOWARD. Does the gentleman maintain, as a matter of law, that that decision of the circuit court, or whatever court it was—

Mr. BENNET. The district court.

Mr. HOWARD. That that decision of the district court is the law of the land, and that this whole act of Congress has been repealed by that decision? And does the gentleman mean to state, as a matter of law, that the appeal to the United States Supreme Court does not suspend that decision until it is finally adjudicated in the Supreme Court of the United States?

Mr. BENNET. Why, Mr. Chairman, every decision of every court is the law until it is reversed.

Mr. HOWARD. Suppose the Supreme Court of the United States were to decide within the next five minutes that that particular decision of the district court was wrong and should reverse it, what would be the attitude of the gentleman then? What would be the law?

Mr. BENNET. My attitude would be that the decision of the Supreme Court was final.

Mr. HOWARD. The gentleman has taken a position that is unheard of, as to the effect of an appeal. I would not entertain it from a justice of the peace. [Laughter.]

Mr. BENNET. Well, I suppose the gentleman is entitled to cite the courts with which he is most familiar. [Laughter.]

Mr. HOWARD. I should say from the appearance of the gentleman on that question that he has never practiced anywhere but in a justice court.

Mr. BENNET. If the gentleman will rise, I will let the House pass on our comparative appearance. [Laughter.] But, of course, all persiflage aside—

The CHAIRMAN. Will the gentleman from New York inform the Chair against whom that proceeding was brought?

Mr. BENNET. Against the collector of internal revenue in one of the New York districts.

The CHAIRMAN. Can the gentleman inform the Chair whether the collector has continued to collect this tax?

Mr. BENNET. The moment that the court handed down the decision not only this collector, but each internal-revenue collector in the United States, being a law-abiding citizen, ceased to operate under this law. The tax is not being collected. Nothing is being done under the law, because there is no law. There can not be any question about that.

Mr. HEFLIN. Mr. Chairman, it is a fact that the cotton exchange has gone on operating under this law, just as it did before. The officers of the law may not have collected the tax pending the appeal, but they are ready to collect it when the higher court, as it will, in my judgment, hold that the law is constitutional. The law will be amended. The bill that we passed, in fact, originated in the House.

Mr. BENNET. All that was disposed of by Judge Hough. He refers to Senate bill 110, and takes up the argument just made by the gentleman from Alabama, overrules it, and decides that the law is unconstitutional. Now, the decision of a court is binding on this House.

The CHAIRMAN. The appropriation carried in this paragraph is to pay the expenses of the machinery incident to the enforcement of this law.

Mr. BENNET. Of this unconstitutional act.

The CHAIRMAN. It is now being held in abeyance. As some gentleman suggested a moment ago, suppose the Supreme Court of the United States on appeal—I understand it is agreed that this case is pending on appeal—

Mr. BENNET. I do not know.

The CHAIRMAN. The Chair does not know.

Mr. BENNET. All I know is the record.

The CHAIRMAN. If the case is pending on appeal, and if the Supreme Court of the United States should hold the act constitutional, then the machinery for its enforcement must be kept up.

Mr. BENNET. Oh, no; not at all. Take a rather famous case. The income tax of 1894 was declared unconstitutional. There were people who suggested that because of the fact that that case was decided by one vote, and that the personnel of the court afterwards changed, new proceedings ought to have been begun. Would anybody have held for a moment that after that act had been declared unconstitutional Congress ought to have gone on and appropriated money for its enforcement on the theory that possibly at some time in the future the court might reverse itself, as, of course, even the Supreme Court has done? But I stand on the proposition, which ought not to be strange to a lawyer, that the law is as declared by the latest decision.

Mr. MANN. Mr. Chairman, I suppose it might be possible for the chairman to take the reasoning of the judge as his own reasoning and for the Chair to hold that the law was unconstitutional. Yet I think no chairman would ever take that responsibility where an act of Congress had not been finally declared unconstitutional by the courts. If the contention of my friend from New York [Mr. BENNET] be correct, it would put us in a very embarrassing position. The other day we had the migratory-bird law under consideration. A few days ago one court declared it unconstitutional. The next day another court declared it constitutional. The next day another court declared it unconstitutional. I may not be giving the exact time, but all that has occurred.

Mr. HAUGEN. I think that no court has held the bird law constitutional.

Mr. MANN. I submit that the gentleman is mistaken. The statement to me is that some courts have held it constitutional. There is no final decision, however. If my friend from New York is correct, we might appropriate to-day; to-morrow we could not. The decision of a nisi prius court, or even one of the appellate courts, is not a final decision at all. It has no weight; when the appeal is taken, that vacates the judgment, but it does not vacate the reasoning.

Mr. STERLING. Will the gentleman yield?

Mr. MANN. Yes.

Mr. STERLING. The Government could go on and operate under this law while the appeal is pending?

Mr. MANN. Certainly it could. It might not get any court to convict. Another nisi prius court might accept the reasoning of this court and take the decision as a precedent, because the decision of one judge has great weight with other judges, but it is not binding on them at all; even a decision of the court of appeals is not binding outside of the circuit, and they frequently disagree.

Mr. RICKETTS. Does the gentleman mean to say that an appeal vacates the judgment or suspends it?

Mr. MANN. It practically vacates the judgment until the decision is confirmed.

The CHAIRMAN. The gentleman from Illinois has stated what is in the mind of the Chair. The Chair had in mind the migratory-bird law. The Chair's information is that one Federal court, and perhaps two, has held the bird law unconstitutional, while another court of equal jurisdiction has held that it is constitutional. We know that these things occur not only in the Federal courts but in the State courts. The present occupant of the Chair would not feel warranted in sustaining a point of order simply because some district court had held an act of Congress unconstitutional, especially if it is pending on an appeal to the court of final jurisdiction. The point of order is overruled.

Mr. ADAMSON. Would the Chair kindly allow me to ask a question?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. ADAMSON. I have been wondering several times when these questions came up for consideration during the progress of this bill if anybody would seriously contend that as long as a law is on the statute books not declared unconstitutional, we would be justified in failing to appropriate for the purpose of enforcing it.

The CHAIRMAN. The Chair thinks not; and the point of order is overruled.

Mr. BENNET. Mr. Chairman, I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from New York appeals from the decision of the Chair, and the question is, Shall the decision of the Chair stand as the judgment of the committee?

The question was taken; and on a division (demanded by Mr. BENNET) there were—70 ayes and 10 noes.

So the decision of the Chair was declared to be the judgment of the committee.

Mr. MANN. Mr. Chairman, I move to strike out the last word to make an observation. The decision of the court in New York in regard to this cotton-futures act is an illustration of the need of technical care in legislation. Here is an act on which a good deal of thought was expended. The bill was really prepared, I believe, by the gentleman from South Carolina, or some gentleman on that side of the aisle. In the end in the work between the House and the Senate the Senate passed a bill really prepared by the House—a bill nominally authorized by the right to raise taxes, but not intended for that purpose. The court, at the instance of some bright lawyer—and I take my hat off to the lawyer, whoever he was—raised the question, and the court decided that the bill ought to have originated in the House of Representatives, because we have the power alone to originate revenue legislation. I am inclined to agree with the court. I think it would be a very good thing if the House not only agreed with the court but hereafter enforced the doctrine as to all of these propositions nominally to raise revenue, whether they are for that purpose or not.

Mr. CULLOP. Will the gentleman yield?

Mr. MANN. Yes.

Mr. CULLOP. If I understood the gentleman from Illinois, he said that the fact that the Federal court in a New York district construed the act unconstitutional that the judgment of the court was vacated. I would like to put this proposition to the gentleman from Illinois. Suppose, connected with that suit, as I assume there was, a petition to the court to enjoin the marshal or officer from collecting the tax because the act itself was unconstitutional and therefore invalid and the court upheld that contention and issued the injunction. Now, if we appropriate for the enforcement of this act would we not have this condition existing, that in other districts where the suit was not brought the marshal or officer would enforce the act but the officer could not enforce it in the district of New York where he was enjoined, for if he did he would be violating the positive injunction of the court, and would be guilty of contempt?

Now, if the act was declared unconstitutional and suspended for that reason in that district, would it not be an anomalous condition to enforce it in other districts over the country?

Mr. MANN. The gentleman asks a practical question. I do not suppose any money will be expended for the enforcement of the act as long as the decision stands. I presume that if the Supreme Court shall pass on the act and declare it constitutional this money will be expended. Or perchance before this act becomes a law some provision now in the cotton-futures act which has been declared unconstitutional will possibly be included as a portion of this act and this appropriation amended accordingly.

A while ago we were discussing a purely technical question. A practical question is another thing. I do not suppose any of

the money will be expended to enforce an act which the Department of Justice believes to be unconstitutional.

Mr. CULLOP. Mr. Chairman, I move to strike out the last two words.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection?

Mr. FESS. Mr. Chairman, reserving the right to object, I would like to have a couple of minutes in which to make a statement.

Mr. LEVER. Make is seven minutes, then, Mr. Chairman.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CULLOP. Mr. Chairman, it seems to me as a plain proposition that if the court in New York, of competent jurisdiction, declared this act to be unconstitutional, necessarily it must have suspended the operation of the act throughout the entire country. If it did not, we would have this anomalous condition, that in the Federal district of New York, where doubtless there was more work, more revenue to be collected under this act than in any other district in the United States, the officer would be powerless, and yet out in a district of Iowa or Oklahoma, if the contention be true, it would be the positive duty of the official to go on and execute the act.

Mr. STERLING. Mr. Chairman, will the gentleman yield for a question?

Mr. CULLOP. Yes.

Mr. STERLING. Does the gentleman know whether this was an injunction proceeding?

Mr. CULLOP. I do not, but I assume that it was. I do not know just what the nature of the proceedings was.

Mr. STERLING. The injunction would operate on no person except the defendant in the proceeding, would it?

Mr. CULLOP. The defendant would be the officer whose duty it was to execute the law.

Mr. STERLING. Then if it was an injunction suit he and he alone was enjoined from collecting the moneys under this law, and how would that have any effect on any other officer anywhere else in the country who was not a party to the writ?

Mr. CULLOP. Very good.

Mr. STERLING. I agree with the gentleman—

Mr. CULLOP. Mr. Chairman, I will ask the gentleman not to interrupt further, as I have only five minutes and I want to conclude my statement. The courts of this country must have full faith and credit throughout the entire domain of the country, so that if the officer was enjoined from executing an act, performing the duties required by the act to be performed, then the act would be suspended, so far as he was concerned, though it be appealed to the Supreme Court of the United States, and if that judgment was presented to a court of concurrent jurisdiction, that court would have to give due faith and credit to the decision of the other court. I do not say it would be binding—that is, the decision of one nisi prius court upon another—but I do say that it would be a duty that courts universally follow to give due faith and credit to the decisions of other courts of similar jurisdiction and upon the same matter.

Mr. STERLING. Mr. Chairman, will the gentleman yield now?

Mr. CULLOP. Let me get through with this, and then I will yield. Suppose no appeal had been taken in this case? Suppose the Government had been content with that judgment, then I would ask, gentlemen, if that would not stand as a precedent for every officer in the United States to be controlled by when he was called upon to act under this law? It would strike down the act if the proceedings were to stop there, and it will not do for gentlemen to say that when an act is declared unconstitutional by a court of competent jurisdiction that that judgment is to be ignored in any legislative body, State or National. If so, it would set a precedent which, if the citizen followed, would bring down on him severe criticism. Here a great department is doing and proposes to do in this matter what, if a citizen should do, would be the occasion for severe rebuke. To proceed as proposed would be to enforce a law which one of the courts of the country having jurisdiction in the premises has declared invalid on the highest ground for invalidity—holding it to be unconstitutional. Such a course is not in keeping with the procedure of governments, and is calculated to encourage disrespect for the court and disobedience to its orders. Such a course, to my mind, is subject to severe criticism, and will invite just censure. It would be much better for it to obey the mandate until reversed, if ever, and if not, to acquiesce in its judgment.

Mr. FESS. Mr. Chairman, I think the gentleman from Indiana [Mr. CULLOP] has stated the situation correctly, as I recall

my study of constitutional law. This court has jurisdiction and in proper procedure pronounced the act unconstitutional. Under the clause of the Constitution, which says that full faith and credit shall be given, then all district courts of the United States certainly would take due notice of the decision, and no one would say that this tax would be collected in the district where the decision was made, and I do not think anyone would say it would be collected in any other district until this final decision is reached in the Supreme Court.

Mr. CULLOP. Mr. Chairman, will the gentleman yield?

Mr. FESS. I have only half a minute. That being true, and with no assurance that the Supreme Court will reverse the decision of the lower court, I think the proper and wise method now would be to strike out this paragraph at this time. It can not do any harm. In case of a reversal, then it can be enforced later on when its legality is established. I therefore move to strike out the paragraph.

The CHAIRMAN. The gentleman from Ohio [Mr. Fess] moves to strike out the paragraph.

Mr. MOORE of Pennsylvania. On that motion I would like to say this, that unless there is some reason not explained for the expenditure of this money, pending the decision of the Supreme Court, it seems an idle waste.

Mr. LEVER. Mr. Chairman, let me say—

Mr. MOORE of Pennsylvania. In other words, if the gentleman will permit for a minute, why should we spend the money when nothing is to be done pending the action of the court?

Mr. LEVER. There are two reasons: First of all, the department is now enforcing the law; that is, it is gathering its testimony and its evidence, and it is settling disputes and keeping up the machinery for the enforcement of this law. But there is a second reason. Assuming they were not doing that, I am inclined to think that there will be a reenactment during this session of Congress of the cotton-futures act, which was declared unconstitutional by the New York court.

Mr. MOORE of Pennsylvania. Is all of this \$120,750 being spent now?

Mr. LEVER. None of this is being spent now. It is an appropriation bill which becomes effective on the 1st of July.

Mr. MOORE of Pennsylvania. An appropriation was made last year?

Mr. LEVER. Yes. They are spending some money now in gathering the evidence.

Mr. MOORE of Pennsylvania. What was it spent for after the court in New York decided that this act was unconstitutional? What would the men have to do?

Mr. LEVER. The department took the position, and I think correctly, that until the Supreme Court has passed upon the validity of this act that is was their duty to enforce it as if no adverse decision had been rendered—enforcing it in the way of notifying all parties concerned that "We will collect evidence against you, and if you violate the law, if this act is declared constitutional, we propose to prosecute." Now they are gathering that testimony, and also settling disputes which arise on the cotton exchanges.

Mr. HAUGEN. In answer to the question of the gentleman from Pennsylvania, I take it that this bureau does exactly as the other bureaus do. I will read for his information the statement of Mr. Nelson, who is in charge of the bird act. Here is his testimony:

The law is being enforced the same as ever until the status of the law is decided by the Supreme Court of the United States.

Notwithstanding the fact that the act was declared unconstitutional, the gentleman from Illinois says that one court had upheld it. The hearings do not disclose this fact. To the contrary, the hearings disclosed the fact that all the courts, where the question of constitutionality was raised, have held it unconstitutional.

Mr. MOORE of Pennsylvania. Are we paying experts and clerks, including the bureau chief, to go through the motions of pretending to enforce the law that has been declared unconstitutional, or are they actually doing something?

Mr. HAUGEN. That is what they are doing. They are spending the money to enforce inoperative law, not only in this instance but in the interest of the bird act, in the interest of the cotton-futures act, and in the interest of the butter act.

Mr. LEVER. I do not agree with the statement made by the gentleman from Iowa entirely, although I could not hear distinctly.

Mr. HAUGEN. I was reading from the testimony of the witnesses before the committee.

Mr. LEVER. As I understood the gentleman to read it, the act is being enforced as if no adverse decision had been rendered; and that is true, absolutely.

Mr. MOORE of Pennsylvania. I do not object to money to keep the machinery greased; but it seems absurd, if there is nothing to do, to spend \$120,000 upon experts merely to go through the motions of reporting in the morning—

Mr. LEVER. That is not the case at all.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. The gentleman might have some explanation of it.

Mr. LEVER. I will try to explain it. The time upon it is limited.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the time be extended for 10 minutes.

Mr. LEVER. Make it 5 minutes. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Is any of my time remaining, Mr. Chairman?

The CHAIRMAN. The gentleman has half a minute remaining.

Mr. LEVER. The department has taken the position that until the Supreme Court passes upon the validity of the cotton-futures act—

Mr. MOORE of Pennsylvania. Will the gentleman yield for one question?

Mr. LEVER. It is very hard for me to make a statement and be interrupted.

Mr. MOORE of Pennsylvania. The gentleman is not reaching the point that I want to get at. How many men are employed for this \$120,000, and what are these men doing now?

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. Moore] has expired.

Mr. MOORE of Pennsylvania. I will ask the gentleman to explain in his own time.

Mr. LEVER. Mr. Chairman, the department takes the position that until the Supreme Court passes upon this matter it is their duty to keep up the machinery and to enforce this law as if no adverse decision upon it had been rendered. Whether that is right or wrong legally, I do not know. The Solicitor of the Department of Agriculture I regard as a good lawyer, and he has advised with the department as to this course. Not only are we seeing that the law is not violated upon these various cotton-future exchanges—not various ones, because there are only two in this country, namely, New York and New Orleans—but we provide the machinery for passing upon the disputes as between buyer and seller as to quality of grade, and the like of that, when such disputes arise.

That is an expensive piece of machinery. In addition to that, under this item we are providing for furnishing standards of grain to exchanges that may desire them, and that is an expensive feature. But I might say, without any further elaboration of it, that the department is enforcing this law and carrying on its machinery as if no adverse decision had been rendered.

Mr. MOORE of Pennsylvania. If the gentleman will answer the question I put to him, I will be obliged to him.

Mr. LEVER. I will try to.

Mr. MOORE of Pennsylvania. How many men are employed? And what have they been doing?

Mr. LEVER. Twenty-six men have been employed. If the gentleman wants me to read the list, I will put them in the record.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman tell me whether the case is pending in the Supreme Court or not?

Mr. MOORE of Pennsylvania. A number of gentlemen here have asked me to ask this question: How many men are employed, and where, and what are they collecting?

Mr. LEVER. Here is the list of men employed:

In Washington: 1 cotton technologist, \$3,000; 2 specialists in cotton classing, at \$3,000 each; 1 inspector of cotton standards, \$3,000; 1 specialist in cotton classing, \$2,640; 1 specialist in cotton classing, \$2,500; 1 specialist in cotton classing, \$2,400; 1 assistant in cotton business methods, \$2,250; 1 assistant in cotton classing, \$2,100; 2 assistants in cotton business methods, at \$2,100 each; 2 assistants in cotton business methods, at \$1,800 each; 1 assistant in cotton marketing, \$1,800; 2 assistants in cotton classing, at \$1,800 each; 1 assistant in agricultural technology, \$1,440; 6 assistants in cotton classing, at \$1,400 each; 1 assistant in cotton marketing, \$1,400.

Out of Washington: 1 specialist in cotton classing, \$2,500; 1 assistant in cotton classing, \$2,100.

That makes 26 in all.

Mr. MOORE of Pennsylvania. Have those men collected anything under this act?

Mr. LEVER. I will say to the gentleman, in answer to his question, that I glanced over the hearing on that subject last night, and my recollection is that \$45,000 has been returned to the Treasury, about \$24,000 fees from settling of disputes, more than \$10,000 from the sale of standards, and more than \$10,000 from the sale of cotton left over. This is not a tax, however; to say that would be misleading.

Mr. MOORE of Pennsylvania. Fees, not penalties?

Mr. LEVER. I so understand.

Mr. MOORE of Pennsylvania. Are these men appointed by the Secretary under Executive authority, or do they come up through the civil service?

Mr. LEVER. Every last one of them comes through the civil service.

Mr. MOORE of Pennsylvania. How are the salaries fixed?

Mr. LEVER. I am not informed as to that.

Mr. MOORE of Pennsylvania. The Secretary fixes the salaries, evidently.

Mr. LEVER. That may be, but they are all under civil service.

Mr. MOORE of Pennsylvania. Are they all experts in cotton?

Mr. LEVER. So far as I know, they are. Now I will answer the question propounded by the gentleman from Michigan.

Mr. SMITH of Michigan. I understood the gentleman to say that the case was pending in the Supreme Court.

Mr. LEVER. Yes; but it has not been argued yet. It is in the same status as the bird law.

Mr. CULLOP. I understood the gentleman to say that \$10,000 had been collected?

Mr. LEVER. Yes; and more than that. Not in fines but in settling disputes between buyer and seller.

Mr. CULLOP. That was done before the law was declared unconstitutional.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Ohio [Mr. Fess] to strike out the paragraph.

Mr. HAUGEN. Mr. Chairman, I desire to have five minutes.

Mr. LEVER. I ask unanimous consent, Mr. Chairman, that the gentleman from Iowa have five minutes. He is a member of the committee. I did not know that the gentleman wanted five minutes.

Mr. HAUGEN. Mr. Chairman, I understood that I was to have that much time.

Mr. LEVER. Let the gentleman ask unanimous consent. I shall not object.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to proceed for five minutes on this paragraph. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Chairman, the gentleman from South Carolina [Mr. LEVER] has stated the policy of the Government and has explained what its policy is. Its policy is to have Congress appropriate money. For what? To enforce a law that is inoperative and is declared unconstitutional by the courts.

We appropriated a large sum of money for the enforcement of the migratory-bird act, held unconstitutional. We are now about to appropriate money for the enforcement of another act which has been declared by the courts to be unconstitutional.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield there for a question?

Mr. HAUGEN. Yes.

Mr. SMITH of Michigan. Is it not true that when the case was appealed that vacated the judgment in the court below, and the law stands as it virtually did before the decision?

Mr. HAUGEN. I state what the status is. Fines, of course, can not be imposed, but it is a "hold-up." They come up to a man and say: "Here, you have been violating this law. You come in and settle, and we will compromise the case." A constituent of mine compromised a case the other day. It cost him \$1,111. The courts have held that the rulings of the department are unconstitutional. Think of it, a department levying a fine and compromising on \$1,111 contrary to law as interpreted by the courts.

Several thousand dollars have been paid by honorable men in my district who have been held up because a few pounds of butter were found to contain more than 16 per cent of moisture, notwithstanding the fact that courts have held that the rulings of the department under which fines were compromised are unconstitutional. We have had two rulings, in one department 16 per cent of moisture and in another department 82½ per cent of butter fat. Here you have a conflict of ruling. The courts have held the one being enforced unconstitutional, yet this department holds up these people, as I have said, in some instances more than

\$1,000, and in another case they have come down to \$100. Now, is it fair to appropriate money, is it fair for this department to hold up these people and compel them to pay either \$1,100 or \$100? In my opinion it is unjust.

Mr. CANNON. Will the gentleman allow me to ask him a question?

Mr. HAUGEN. Yes.

Mr. CANNON. I believe the gentleman stated that the decisions of the courts have held the bird act unconstitutional.

Mr. HAUGEN. Absolutely, in every case where the question of constitutionality was raised.

Mr. CANNON. I should be glad to know whether there are officers who are drawing pay for the execution of the bird act.

Mr. HAUGEN. Yes.

Mr. CANNON. How many?

Mr. HAUGEN. I can not tell you offhand. As the gentleman knows, we are making appropriations in a lump sum. Congress knows nothing about the number of men to be employed, and nothing about the salaries to be paid.

Mr. CANNON. If the hearings give the information of the number of employees engaged in the enforcement of the bird act, will the gentleman please put that statement in the Record?

Mr. HAUGEN. Certainly.

Mr. CANNON. And their salaries?

Mr. HAUGEN. As far as I can.

Mr. CANNON. I ask unanimous consent that the gentleman may extend his remarks in the Record by inserting that information.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Iowa may extend his remarks by inserting the information referred to. Is there objection?

There was no objection.

Mr. HAUGEN. The estimates furnished by the department contain the following information on that subject:

Protection of migratory birds, 1917, \$99,680 (committee allowed \$50,000).

Salaries.....	\$56,540
As follows:	
In Washington—	
1 administrative assistant, in charge migratory bird law,	\$2,500.
1 assistant biologist, \$1,800.	
Out of Washington—	
31 inspectors, at \$1,500 each.	
4 field assistants, at \$100 per month each (4 months).	
2 field assistants, at \$75 per month each (4 months).	
295 cooperating wardens, at \$1 per month each.	
Traveling expenses.....	37,600
Supplies and equipment.....	1,000
Miscellaneous expenses.....	4,540
Total estimate, 1917.....	99,680
Total appropriation, 1916.....	50,000

Increase (but as 1 clerk, \$1,200, is transferred to the statutory roll, the actual increase is \$50,940).....

49,680

Protection of migratory birds, 1915, \$50,000.

Salaries..... \$28,244.97

As follows:

In Washington—	
1 administrative assistant, in charge of migratory bird law, \$2,500 (9 months).	
1 administrative assistant, acting in charge migratory bird law, \$2,500 (3 months).	
1 clerk, \$1,260 (2 months).	
Out of Washington—	
4 inspectors, at \$1,500 each.	
1 inspector, \$1,500 (10½ months).	
1 inspector, \$1,500 (10½ months).	
7 inspectors, at \$1,500 each (10½ months).	
1 inspector, \$1,500 (9½ months).	
1 inspector, \$1,500 (8 months).	
2 inspectors, at \$1,500 each (7 months).	
2 inspectors, at \$1,500 each (6 months).	
1 inspector, \$1,500 (5½ months).	
144 wardens, at \$1 per month each.	
3 wardens, at \$1 per month each (11 months).	
1 warden, \$1 per month (10 months).	
1 warden, \$1 per month (9 months).	
1 warden, \$1 per month (8 months).	
1 warden, \$1 per month (7½ months).	
1 warden, \$1 per month (7 months).	
22 wardens, at \$1 per month each (6 months).	
4 wardens, at \$1 per month each (5½ months).	
1 warden, \$1 per month (5½ months).	
4 wardens, at \$1 per month each (5 months).	
1 warden, \$1 per month (4½ months).	
5 wardens, at \$1 per month each (4 months).	
1 warden, \$1 per month (3½ months).	
24 wardens, at \$1 per month each (1½ months).	
1 warden, \$1 per month (1 month).	
5 game protectors, at \$1 per annum each.	
Traveling expenses.....	16,264.87
Supplies and equipment.....	251.08
Miscellaneous expenses.....	182.85
Total expenditures, 1915.....	44,943.77

Mr. HEFLIN. Will the gentleman yield for a question?

Mr. HAUGEN. Certainly.

Mr. HEFLIN. Suppose one district court declared the bird law unconstitutional, and another district court declared it to be constitutional.

Mr. HAUGEN. Suppose it did—but it did not do any such thing.

Mr. HEFLIN. Suppose it did, then would it be unconstitutional and out of commission before the Supreme Court passed on it, finally?

Mr. HAUGEN. In my opinion it should be held the same as unconstitutional, and the law should not be enforced until it has been determined by the highest court.

Mr. HEFLIN. There is a difference of opinion on that.

Mr. HAUGEN. I know there is a difference of opinion as to that, and what I object to is that any department of the Government should hold up any man in the country, I care not who he is.

Mr. CULLOP. I agree with the gentleman on that.

Mr. HAUGEN. I make no distinction between a man who calls another man into his office and extracts \$100 from him under the pretense of enforcing a law that does not exist, according to the interpretation of the courts, and the one who forcibly takes his money from him unlawfully. The principle is the same.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the motion of the gentleman from Ohio [Mr. Fess] to strike out the paragraph.

The question was taken; and on a division (demanded by Mr. LEVER) there were—ayes 34, noes 64.

Accordingly the amendment was rejected.

Mr. MOORES of Indiana. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOORES of Indiana: Page 73, line 23, after the words "one hundred and twenty thousand seven hundred and fifty dollars" insert: "Provided, That no portion of the appropriation herein made for the enforcement of such cotton-futures act shall be expended unless and until the constitutionality of such cotton-futures act shall have been sustained by the Supreme Court of the United States.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on that amendment be closed—

Mr. MANN. Debate on the paragraph and all amendments thereto has been closed.

Mr. LEVER. That is correct.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. MOORES].

The question was taken; and on a division (demanded by Mr. MOORE of Pennsylvania) there were—ayes 33, noes 53.

Mr. MOORES of Indiana. Mr. Chairman, I demand tellers. Tellers were ordered.

The Chair appointed as tellers the gentleman from South Carolina [Mr. LEVER] and the gentleman from Indiana [Mr. MOORES].

The committee again divided; and the tellers reported that there were—27 ayes and 60 noes.

So the amendment was rejected.

The Clerk read as follows:

Demonstrations on reclamation projects: To enable the Secretary of Agriculture to encourage and aid in the agricultural development of the Government reclamation projects; to assist, through demonstrations, advice, and in other ways, settlers on the projects; and for the employment of persons and means necessary in the city of Washington and elsewhere, \$40,000.

Mr. FERRIS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 76, after line 17, insert the following as a separate paragraph:

"International Dry Farming Congress, El Paso, Tex.: to enable the Secretary of Agriculture to cooperate with and make an exhibit at the next annual meeting of the International Dry Farming Congress, to be held at El Paso, Tex., during the fiscal year ending June 30, 1917, illustrative of the investigations, products, and processes relating to farming in the subhumid, arid, and semiarid regions of the United States, including labor and all expenses in the city of Washington and elsewhere, \$20,000.

"That the President is hereby authorized to extend invitations to other nations to appoint delegates or representatives to the International Dry Farming Congress: *Provided*, That no appropriation shall be granted or used for the expenses of delegates."

Mr. LEVER. Mr. Chairman, I reserve a point of order upon the amendment.

Mr. FERRIS. Mr. Chairman, this amendment is the amendment of the gentleman from Texas [Mr. SMITH] in whose district is El Paso. The dry-farming people have arranged to hold the next convention down at El Paso, Tex. The amendment I have offered is exactly in the form it was carried in the Agri-

cultural appropriation bill last year when the convention was held at Denver. It was held the preceding year at Wichita, Kans., and carried \$20,000; it was held the preceding year at Tulsa, Okla., and carried \$20,000 there. The preceding year it was held in Canada, and that year it only carried \$10,000.

This item is not regularly estimated for, and I assume that it is subject to a point of order. However, the same custom has prevailed and the bill has carried it every year, and I hope that no point of order will be made and that we may accord El Paso, in that dry section of the greatest State in the Union, the same courtesy that has been accorded to other places.

Mr. STAFFORD. Has the other provision provided for an invitation to foreign Governments?

Mr. FERRIS. The bill of last year did. This amendment is in the same form as the provision of last year and is identical with it. The year preceding that did not have the invitation.

Mr. STAFFORD. To what Governments do you expect to issue invitations?

Mr. FERRIS. I can not say. I have attended but one dry-farming congress, and that was at Tulsa. We had there quite a number from Canada and some other foreign countries. Our Secretary of Agriculture sends delegates. I hope that the chairman of the committee will let the House do the courteous thing instead of having it put on in the Senate, as it will be.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. MOORE of Pennsylvania. What amount of the appropriation last year was spent for traveling expenses of delegates?

Mr. FERRIS. I can not tell the gentleman.

Mr. MOORE of Pennsylvania. Was there any spent for that purpose?

Mr. FERRIS. I can not state.

Mr. MANN. The amendment provides that no part of it shall be used for the expenses of delegates.

Mr. FERRIS. I think it is for the rent of halls and making arrangements to care for the delegates.

Mr. BORLAND. Was the same amount carried in last year's bill?

Mr. FERRIS. The same amount for the preceding three years.

Mr. BORLAND. Is the \$20,000 to be used by the Government in participating in the congress?

Mr. FERRIS. Not participating.

Mr. BORLAND. Does the department send anybody there?

Mr. FERRIS. They do; and they lecture and make speeches, and so forth.

Mr. BORLAND. That expense is incurred out of this appropriation or the regular appropriation?

Mr. FERRIS. The gentleman from Illinois advises me that nothing can be spent for delegates out of this appropriation.

Mr. BORLAND. Out of the regular appropriation?

Mr. FERRIS. I do not know.

Mr. BORLAND. It must be spent out of this appropriation.

Mr. FERRIS. The gentleman from Missouri raises the question as to whether the expenses of the delegates will be paid out of this appropriation.

Mr. LEVER. The amendment provides that no appropriation shall be granted or used for the expenses of delegates. It is for a Government exhibit there and things of that kind.

Mr. FERRIS. Yes; they bring very elaborate exhibits down from the Agricultural Department, and things of that kind.

Mr. MANN. How is it possible to spend \$20,000?

Mr. FERRIS. I never have had to do with the expenses of it. I attended the Tulsa convention in my own State. I was invited there. They made very elaborate arrangements. The town was full of people for over a week. They had elaborate exhibits, and it resembled a county fair in a good big town. They rented halls, and even constructed exhibit halls, and they had exhibits of all the different branches of the Government. The mining people had a lot of stuff there.

Mr. MANN. If we are to have a dry-farming congress every year, as has been the case recently, and we are to appropriate money every year to put up a building, it strikes me that we had better have a permanent location and give it at that place. I can not see, and I am asking for information, how it is possible to spend \$20,000.

Mr. FERRIS. I never have had to do with the expenditure of the money, but I believe if the gentleman were to attend one of the congresses he would not think that that is too much.

Mr. MANN. I suppose most of the exhibits there are sent by the States or associations and not by the General Government. I do not understand that this is for the purpose of making a Government exhibit.

Mr. FERRIS. The Indian schools send the different kinds of wheat and corn and kafir corn and cane and maize.

Mr. MANN. Is that paid for out of this appropriation?

Mr. FERRIS. Again I am at sea, and I am not able to tell the gentleman. Does the chairman of the committee know?

Mr. MANN. It seems to me that somebody ought to have some information on the subject if they want to get the money.

Mr. LEVER. My impression is that the department would pay for the expense of transportation of the things to which the gentleman has referred, although I confess that I do not have that information right at hand. Some foreign nations make exhibits—for instance, Canada.

Mr. MANN. Who gets this money?

Mr. LEVER. It is spent through the department.

Mr. MANN. Of course, but do they turn it over to the secretary of the dry-farming congress?

Mr. LEVER. Not to my knowledge.

Mr. MANN. I understood when we first made the appropriation that that was the way part of it was to be expended.

Mr. FERRIS. I think that must be true. I do not know.

Mr. MANN. Mr. Chairman, I think the gentleman better let this go over until morning until we can get some information about it.

Mr. LEVER. If the gentleman is willing to do that I would be very glad to have it go over.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that the consideration of the amendment which I have offered be passed over until to-morrow morning.

The CHAIRMAN. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object, as the matter stands now I am inclined to make the point of order.

Mr. FERRIS. The point of order is pending. Let me see if I can not justify this amendment.

Mr. MOORE of Pennsylvania. But absolutely no information has been presented here which would warrant Congress in putting its hand into the Federal Treasury and giving \$20,000 to some individuals to spend for their own use.

Mr. FERRIS. It will not be that way.

Mr. MOORE of Pennsylvania. If the gentleman is going to explain it, I will not make the point of order now.

Mr. FERRIS. That is the purpose of having it go over.

Mr. MOORE of Pennsylvania. The gentleman knows that there are hundreds, if not thousands, of associations being built up on this character of propaganda, and they have to pay for it out of their own pockets; and it would be better for Congress and for the people if we had less of them. They seem to get to a point where with Government money they pass resolutions to ask the Government for more money, and the time will come when we will have to consider whether we ought not to stop them.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the consideration of his amendment be passed over until the morning. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Cooperative fire protection of forested watersheds of navigable streams: For cooperation with any State or group of States in the protection from fire of the forested watersheds of navigable streams under the provisions of section 2 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," \$100,000.

Mr. RAINEY. Mr. Chairman, on page 7800 of the CONGRESSIONAL RECORD for April 25, 1916, under a leave to print, my colleague from Illinois [Mr. BUCHANAN], who is my friend and for whose integrity and ability I have the greatest respect, printed certain articles from certain newspapers published in Chicago, together with resolutions purporting to have been adopted by the Chicago Federation of Labor, the statement being made therein that in that organization there are 250,000 working people in the city of Chicago. These resolutions reflect upon and question the motives of the Illinois Manufacturers' Association and such Members of the Illinois delegation in Congress as attended the banquet given at the Shoreham Hotel last night by the Illinois Manufacturers' Association to the Members of this body from the State of Illinois.

I regret that any member of the Illinois delegation felt himself called upon, even though requested to do so by a great labor organization, to print in the CONGRESSIONAL RECORD matter misrepresenting, as this does, the attitude of the Illinois Manufacturers' Association, and reflecting indirectly upon such Members of Congress as accepted their invitation to be enter-

tained at their dinner last night and to confer with them upon the subject of national preparedness.

It is impossible from the nature of the material printed in the RECORD to tell what portion of it comprises extracts from certain Chicago newspapers and what part of it consists merely of the resolutions passed by the Chicago Federation of Labor on that subject. The resolutions indicate, however, that the Chicago Federation of Labor charges that the Illinois Manufacturers' Association—the delegation which came here yesterday—was composed of "self-styled patriots"—I read from the resolutions—"who are nearly all reaping great financial benefits from the present war in Europe by furnishing ammunition and other war materials," and also "that these gentlemen would repeat very large profits if the Senate and the House of Representatives of the United States should adopt their so-called 'military preparedness' plan."

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. I ask unanimous consent that my colleague may be permitted to proceed for five minutes more.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] asks unanimous consent that his colleague may be permitted to proceed for five minutes more. Is there objection?

There was no objection.

Mr. RAINEY. I read again from the resolution:

Whereas the "patriots" whose ill-gotten profits enabled them to hire a special train and arrange for an elaborate dinner in Washington to the Members of the Senate and House of Representatives, represent numerically a very small portion of our community, and do not represent the sentiment of the "people back home" in Chicago—

And so forth.

I represent an agricultural district in this body, and not a manufacturing district. I have no connection with the Illinois Manufacturers' Association. I represent a district where there are a few workmen who belong to organized labor. But in this body for nearly 14 years I have actively supported and have voted for every single labor proposition submitted here. For years and years as the ranking Democrat, when Democrats were in the minority in the House of Representatives, on the Committee on Labor I fought the battle for the measures that organized labor stood for. And I think as a citizen of Illinois, not representing a manufacturing district, not representing a district in which organized labor exists to any considerable extent, I have the right to resent the insinuations contained in these resolutions.

The Illinois Manufacturers' Association is about 20 years old. It numbers between 2,000 and 3,000 members. It reaches out from the great city by the lake down through the State of Illinois. The requirement for membership in that organization, as I understand it, is that the person seeking membership be a manufacturer, no matter how small, and most of them are small manufacturers, and they pay an annual fee of \$25. The organization exists, as I understand it, for the purpose of promoting the manufacturing industries of the great State of Illinois, for the purpose of looking after credits, better transportation, better and more efficient business methods, and for the purpose of developing and promoting the industries of Illinois. Not long ago representatives of this great organization visited the Republics of South America, promoting there the trade interests of the United States and calling attention to the goods we manufacture in the State of Illinois.

Since this organization was perfected and commenced its work Illinois has forged rapidly to the front as a manufacturing State, until to-day we are the third State in the Union in point of manufactures. Five hundred thousand skilled workmen are employed in the factories of Illinois, more than in any other State except New York and Pennsylvania, and we pay out to the wage earners in those factories in Illinois over \$300,000,000 per year. No State has increased as fast as has Illinois the wages of the men who work in her factories. To-day in 20,000 manufacturing establishments distributed throughout the great State I have the honor to represent in part here we turn out every year over \$2,000,000,000 worth of manufactured products. Farming lands in Illinois are worth to-day more per acre than in any other State in the Union, and Illinois is our greatest agricultural State. If by some great calamity the factories of Illinois could be eliminated in a day, a half million of our citizens would be out of employment and farming lands would instantly depreciate in value 50 per cent, our prosperity would disappear, and the result would be most disastrous.

Now, I want to give you, and to place in the RECORD here, the names and occupations of the officers of the Illinois Manufacturers' Association, in order that you may see whether any of them are interested in any way in the manufacture of munitions.

None of these officers are, so far as I know—and I know of no manufacturers in the State of Illinois belonging to this organization who are—in any way interested in the manufacture of munitions.

Samuel M. Hastings, of Chicago, the president of the association, is president of the Computing Scale Co. of America, a company which manufactures the computing scales which are used in stores throughout this country. William Butterworth is the first vice president. He is a member of the firm of Deere & Co., of Moline, which manufactures plows. Dorr E. Felt is the second vice president. He is a member of the Felt & Tarrant Manufacturing Co., manufacturing these comptometers or adding machines which are sold throughout this country and the world. Peter S. Theurer, the treasurer of the association, is connected with the Peter Schoenhofen Brewing Co., of Chicago, evidently from the name of the organization not engaged in the manufacture of munitions of war. Charles Piez, of Chicago, one of the directors, is connected with the Link-Belt Co., engaged in the manufacture of leather belts for machinery. Alfred H. Mulliken, of Chicago, another director of the association, is connected with the manufacturing firm of Pettibone, Mulliken & Co. William Nelson Pelouze, of Chicago, another director, is connected with the Pelouze Manufacturing Co. G. R. Meyercord, of Chicago, another director, is at the head of the Meyercord Co., manufacturing not war materials but harmless decalcomanias—a delightful gentleman who I assure you will always keep as far away from munitions of war as possible. Paul Schulze, of Chicago, another director, is connected with the Schulze Baking Co., evidently not a munitions concern. Frederick W. Upham, of Chicago, another director, is connected with the Consumers' Co., the organization that supplies the citizens of Chicago with coal and ice. H. G. Herget, another director, lives at Pekin, and is connected with the Pekin Wagon Co., manufacturing wagons for farmers. R. D. Clarke, of Peoria, also a director, is a member of the firm of Clarke Bros. & Co. Mr. Clarke at the present time is also largely interested in the reclamation of swamp lands in Illinois and Arkansas. George D. Tower, of Mendota, another director, is connected with the J. D. Tower & Sons Co. J. Willis Gardner, of Quincy, another director, is connected with the Gardner Governor Co. Milton S. Florsheim, of Chicago, another director, is connected with the Florsheim Shoe Co., and E. Tyner, of Chicago, another director, is a member of the firm of Ed. V. Price & Co., which manufactures not munitions of war but clothing. Mr. John M. Glenn is the secretary of the association, and Mr. Colin C. H. Fyffe is the general counsel.

Not one of the officers and directors of this association is engaged in any business even remotely connected with the manufacture of munitions of war. As a citizen of Illinois interested in its great industries and in its material progress I have the right to protest most vigorously against the insinuations contained in these resolutions. I am unwilling to have the matter I have been discussing become a part of the permanent records of this Government without adding to the record the statement I am now making as to the object and purposes and the organization of the Illinois Manufacturers' Association. I have not been requested by any member of this organization to make this statement. I have not consulted in this matter the officers of the organization or any member of it. The gentlemen who came to Washington did not come here on a special train. There were not 200 of them. I did not see as many as 20 of them at the banquet referred to in the matter so inserted in the RECORD. They came here to consult with and to advise Members in both branches of the National Congress from Illinois, and they had the right to do this. It became the duty of Representatives from that great State to confer with that committee and to receive their suggestions in this crisis in our national history. It is the duty of Representatives in Congress to invite suggestions from their constituents and to consider any petition or suggestions presented to them respectfully and seriously at all times. The success of representative government depends entirely upon whether or not the people are correctly and properly represented in both branches of the Congress. It becomes the duty of Representatives to consult their constituents, and it is the duty of good citizens to consult and advise and make suggestions to their Representatives. Representatives of organized labor came to Washington from all over the Union, and especially from Illinois. They have the right to come. It is the duty of Members of Congress to invite these visits and to attentively consider all communications received from them or from any organization interested in legislation.

I regret that on last evening a prior engagement with the Credit Men's Association of the National Capital, to attend a meeting held by them and to deliver an address on my tariff

commission bill, prevented me from attending the banquet given by the representatives of the Illinois Manufacturers' Association. I, however, as soon as I had fulfilled my prior promise to the credit men's organization repaired at once to the Shoreham Hotel and reached the dining room where the banquet was being given just at the close of the banquet, in time to participate in the proceedings which followed. I saw enough of the banquet, however, to indicate to me that it was the usual dinner served on similar occasions here in the Capital City, resembling in every particular dinners I have heretofore attended, given by labor organizations to prominent labor officers and representatives and others. The dinner was attended by both Senators from Illinois and by a large portion of the Illinois delegation in Congress. I do not think any Member of Congress from Illinois was absent on account of being intimidated by any of the matter printed on the pages of the CONGRESSIONAL RECORD, to which I am calling attention. There was no attempt to improperly influence any Member of Congress. Mr. Hastings, the president of the organization, in opening the discussion, stated that the Illinois Manufacturers' Association was not in any way interested in the manufacture of arms or munitions of war. Its members receive no profit or financial benefit from business of that character. They have no interest in preparedness legislation other than the interest loyal American citizens should have in the welfare and the safety of this Government and of our institutions. They were not here, he said, to advocate any particular method of defense nor what the units of defense should be on the sea and on the land. That matter should be left entirely, he said, to the experts of the United States Government.

The organization he represented, he stated, did not advocate extravagant or unnecessary methods of defense. They only advocated an adequate and a sufficient system of defense. They only advocated such preparedness as would enable this Government to protect the lives of its citizens wherever they might be, on the land or on the sea, and which would enable this Government to protect and defend the homes of its citizens and the institutions and ideals of this great Government. In other words, he advocated that kind of preparation which would enable this great Nation to keep its place in the sun.

To-day these citizens of Illinois, representing its great industries, are quietly returning to the cities from which they came to take up again the business of managing the great industries of Illinois. I desire to say as a Member of Congress from that State that I appreciate their visit here, and I believe this sentiment is shared by all the Representatives from Illinois who attended this conference. I sincerely hope conferences between Illinois Representatives in Congress and their constituents, whether their interest is in manufacturing, in agriculture, in mining, or in any of the great principles for which organized labor stands, will be frequent in the future and I am sure that Members of Congress from Illinois will at all times have in view the material progress of that State and its great interests. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. LEVER. Mr. Chairman, I offer the following as a new paragraph.

The CHAIRMAN. The Clerk will report it.
The Clerk read as follows:

Page 77, after line 2, insert the following—

Mr. LEVER. Mr. Chairman, I ask that the Clerk read it just as it is—amendment No. 1.

The Clerk read as follows:

Amendment No. 1, part A. That this part, to be known as the United States cotton-futures act—

Mr. STAFFORD. Mr. Chairman, it will take about 15 minutes to read that provision.

Mr. LEVER. Mr. Chairman, I take it that gentlemen on that side will make a point of order against it. May I say that this is the cotton-futures act?

Mr. STAFFORD. The same that is embodied in the resolution introduced this week?

Mr. LEVER. Yes; exactly.

Mr. GARLAND. Mr. Chairman, I move to strike out the last word.

Mr. MADDEN. Mr. Chairman, I reserve a point of order.

Mr. LEVER. I suggest, Mr. Chairman, that if a point of order is to be raised, enough has been read to demonstrate that it is not in order on this bill. I suggest that somebody make it.

Mr. STAFFORD. To accommodate the gentleman from South Carolina, Mr. Chairman, I will make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that the amendment may be printed in the Record.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the amendment be printed in the Record. Is there objection?

There was no objection.

The amendment reads as follows:

Amendment offered by Mr. LEVER: Page 77, after line 2, insert the following:

"AMENDMENT No. 1.

"Part A.

"That this part, to be known as the United States cotton futures act, be and hereby is enacted to read and be effective hereafter as follows:

"That this act shall be known by the short title of the 'United States cotton futures act.'

"SEC. 2. That, for the purposes of this act, the term 'contract of sale' shall be held to include sales, agreements of sale, and agreements to sell. That the word 'person,' wherever used in this act, shall be construed to import the plural or singular, as the case demands, and shall include individuals, associations, partnerships, and corporations. When construing and enforcing the provisions of this act, the act, omission, or failure of any official, agent, or other person acting for or employed by any association, partnership, or corporation within the scope of his employment or office, shall, in every case, also be deemed the act, omission, or failure of such association, partnership, or corporation as well as that of the person.

"SEC. 3. That upon each contract of sale of any cotton for future delivery made at, on, or in any exchange, board of trade, or similar institution or place of business, there is hereby levied a tax in the nature of an excise of 2 cents for each pound of the cotton involved in any such contract.

"SEC. 4. That each contract of sale of cotton for future delivery mentioned in section 3 of this act shall be in writing plainly stating, or evidenced by written memorandum showing, the terms of such contract, including the quantity of the cotton involved and the names and addresses of the seller and buyer in such contract, and shall be signed by the party to be charged, or by his agent in his behalf. If the contract or memorandum specify in bales the quantity of the cotton involved, without giving the weight, each bale shall, for the purposes of this act, be deemed to weigh 500 pounds.

"SEC. 5. That no tax shall be levied under this act on any contract of sale mentioned in section 3 hereof, if the contract comply with each of the following conditions:

"First. Conform to the requirements of section 4 of, and the rules and regulations made pursuant to, this act.

"Second. Specify the basis grade for the cotton involved in the contract, which shall be one of the grades for which standards are established by the Secretary of Agriculture except grades prohibited from being delivered on a contract made under this section by the fifth subdivision of this section, the price per pound at which the cotton of such basis grade is contracted to be bought or sold, the date when the purchase or sale was made, and the month or months in which the contract is to be fulfilled or settled: *Provided*, That middling shall be deemed the basis grade incorporated into the contract if no other basis grade be specified either in the contract or in the memorandum evidencing the same.

"Third. Provide that the cotton dealt with therein or delivered thereunder shall be of or within the grades for which standards are established by the Secretary of Agriculture except grades prohibited from being delivered on a contract made under this section by the fifth subdivision of this section and no other grade or grades.

"Fourth. Provide that in case cotton of grade other than the basis grade be tendered or delivered in settlement of such contract, the differences above or below the contract price which the receiver shall pay for such grades other than the basis grade shall be the actual commercial differences, determined as hereinafter provided.

"Fifth. Provide that cotton that, because of the presence of extraneous matter of any character or irregularities or defects, is reduced in value below that of Good Ordinary, or cotton that is below the grade of Good Ordinary, or, if tinged, cotton that is below the grade of Low Middling, or, if stained, cotton that is below the grade of Middling, the grades mentioned being of the official cotton standards of the United States, or cotton that is less than seven-eighths of an inch in length of staple, or cotton of perished staple or of immature staple, or cotton that is 'gin cut' or reginned, or cotton that is 'repacked' or 'false packed' or 'mixed packed' or 'water packed,' shall not be delivered on, under or in settlement of such contract.

"Sixth. Provide that all tenders of cotton under such contract shall be the full number of bales involved therein, except that such variations of the number of bales may be permitted as is necessary to bring the total weight of the cotton tendered within the provisions of the contract as to weight; that on the fifth business day prior to delivery the person making the tender shall give to the person receiving the same written notice of the date of delivery, and that on or prior to the date so fixed for delivery, and in advance of final settlement of the contract, the person making the tender shall furnish to the person receiving the same a written notice or certificate stating the grade of each individual bale to be delivered and, by means of marks or numbers, identifying each bale with its grade.

"Seventh. Provide that in case a dispute arises between the person making the tender and the person receiving the same as to the quality or the grade or the length of staple of any cotton tendered under the contract either party may refer the question to the Secretary of Agriculture for determination, and that such dispute shall be referred and determined, and the costs thereof fixed, assessed, collected, and paid in such manner and in accordance with such rules and regulations as may be prescribed by the Secretary of Agriculture.

"The provisions of the third, fourth, fifth, sixth, and seventh subdivisions of this section shall be deemed fully incorporated into any such contract if there be written or printed thereon, or on the memorandum evidencing the same, at or prior to the time the same is signed, the phrase 'Subject to United States cotton-futures act, section 5.'

"The Secretary of Agriculture is authorized to prescribe rules and regulations for carrying out the purposes of the seventh subdivision of this section; and his findings upon any dispute referred to him under said seventh subdivision, made after the parties in interest have had an opportunity to be heard by him, or such officer, officers, agent, or agents of the Department of Agriculture as he may designate, shall be accepted in the courts of the United States in all suits between such parties, or their privies, as prima facie evidence of the true quality or grade or length of staple of the cotton involved.

"SEC. 6. That for the purposes of section 5 of this act the differences above or below the contract price which the receiver shall pay for cotton of grades above or below the basis grade in the settlement of a contract of sale for the future delivery of cotton shall be determined by the actual commercial differences in value thereof upon the sixth business day prior to the day fixed, in accordance with the sixth subdivision of section 5, for the delivery of cotton on the contract, established by the sale of spot cotton in the market where the future transaction involved occurs and is consummated if such market be a bona fide spot market; and in the event there be no bona fide spot market at or in the place in which such future transaction occurs, then, and in that case, the said differences above or below the contract price which the receiver shall pay for cotton above or below the basis grade shall be determined by the average actual commercial differences in value thereof upon the sixth business day prior to the day fixed, in accordance with the sixth subdivision of section 5, for the delivery of cotton on the contract in the spot markets of not less than five places designated for the purpose from time to time by the Secretary of Agriculture, as such values were established by the sales of spot cotton in such designated five or more markets: *Provided*, That for the purposes of this section such values in the said spot markets be based upon the standards for grades of cotton established by the Secretary of Agriculture: *And provided further*, That whenever the value of one grade is to be determined from the sale or sales of spot cotton of another grade or grades such value shall be fixed in accordance with rules and regulations which shall be prescribed for the purpose by the Secretary of Agriculture.

"SEC. 7. That for the purposes of this act the only markets which shall be considered bona fide spot markets shall be those which the Secretary of Agriculture shall, from time to time, after investigation, determine and designate to be such and of which he shall give public notice.

"SEC. 8. That in determining, pursuant to the provisions of this act, what markets are bona fide spot markets the Secretary of Agriculture is directed to consider only markets in which spot cotton is sold in such volume and under such conditions as customarily to reflect accurately the value of middling cotton and the differences between the prices or values of middling cotton and of other grades of cotton for which standards shall have been established by the Secretary of Agriculture: *Provided*, That if there be not sufficient places in the markets of which are made bona fide sales of spot cotton of grades for which standards are established by the Secretary of Agriculture to enable him to designate at least five spot markets in accordance with section 6 of this act, he shall, from data as to spot sales collected by him, make rules and regulations for determining the actual commercial differences in the value of spot cotton of the grades established by him as reflected by bona fide sales of spot cotton of the same or different grades in the markets selected and designated by him from time to time for that purpose; and in that event differences in value of cotton of various grades involved in contracts made pursuant to section 5 of this act shall be determined in compliance with such rules and regulations.

"SEC. 9. That the Secretary of Agriculture is authorized, from time to time, to establish and promulgate standards of cotton by which its quality or value may be judged or determined, including its grade, length of staple, strength of staple, color, and such other qualities, properties, and conditions as may be standardized in practical form, which, for the purposes of this act, shall be known as the "Official cotton standards of the United States," and to adopt, change, or replace the standard for any grade of cotton established under the act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1909 (35 Stat. L., p. 251), and acts supplementary thereto: *Provided*, That any standard of any cotton established and promulgated under this act by the Secretary of Agriculture shall not be changed or replaced within a period less than one year from and after the date of the promulgation thereof by the Secretary of Agriculture: *Provided further*, That, subsequent to six months after the date section 3 of this act becomes effective, no change or replacement of any standard of any cotton established and promulgated under this act by the Secretary of Agriculture shall become effective until after one year's public notice thereof, which notice shall specify the date when the same is to become effective. The Secretary of Agriculture is authorized and directed to prepare practical forms of the official cotton standards which shall be established by him, and to furnish such practical forms from time to time, upon request, to any person, the cost thereof, as determined by the Secretary of Agriculture, to be paid by the person requesting the same, and to certify such practical forms under the seal of the Department of Agriculture and under the signature of the said Secretary, thereto affixed by himself or by some official or employee of the Department of Agriculture thereunto duly authorized by the said Secretary.

"SEC. 10. That no tax shall be levied under this act on any contract of sale mentioned in section 3 hereof, if the contract comply with each of the following conditions:

"First. Conform to the rules and regulations made pursuant to this act.

"Second. Specify the grade, type, sample, or description of the cotton involved in the contract, the price per pound at which such cotton is contracted to be bought or sold, the date of the purchase or sale, and the time when shipment or delivery of such cotton is to be made.

"Third. Provide that cotton of or within the grade or of the type, or according to the sample or description, specified in the contract shall be delivered thereunder, and that no cotton which does not conform to the type, sample, or description, or which is not of or within the grade specified in the contract shall be tendered or delivered thereunder.

"Fourth. Provide that the delivery of cotton under the contract shall not be effected by means of "set-off" or "ring" settlement, but only by the actual transfer of the specified cotton mentioned in the contract.

"The provisions of the first, third, and fourth subdivisions of this section shall be deemed fully incorporated into any such contract if there be written or printed thereon, or on the document or memorandum evidencing the same, at or prior to the time the same is entered into, the words "Subject to United States cotton-futures act, section 10."

"This act shall not be construed to impose a tax on any sale of spot cotton.

"This section shall not be construed to apply to any contract of sale made in compliance with section 5 of this act.

"SEC. 11. That upon each order transmitted, or directed or authorized to be transmitted, by any person within the United States for the making of any contract of sale of cotton grown in the United States

for future delivery in cases in which the contract of sale is or is to be made at, on, or in any exchange, board of trade, or similar institution or place of business in any foreign country, there is hereby levied an excise tax at the rate of 2 cents for each pound of the cotton so ordered to be bought or sold under such contract: *Provided*, That no tax shall be levied under this act on any such order if the contract made in pursuance thereof comply either with the conditions specified in the first, second, third, fourth, fifth, and sixth subdivisions of section 5 or with all the conditions specified in section 10 of this act, except that the quantity of the cotton involved in the contract may be expressed therein in terms of kilograms instead of pounds: *Provided further*, That if at the time any such contract is entered into the Secretary of Agriculture, after investigation, shall have determined and, by declaration then unrevoked, in the rules and regulations made pursuant to this act, shall have publicly announced that its terms are the substantial equivalent, and sufficient to accomplish the purposes, of the conditions specified in the fourth, fifth, and sixth subdivisions of section 5 of this act, and the rules and regulations relating thereto, such contract shall be deemed, for the purposes of this section, to comply with the said conditions: *And provided further*, That no tax shall be levied under this act on any order mentioned in this section if, first, such order and the contract made in pursuance thereof be solely for hedging the purchase or sale of spot cotton shipped, or to be shipped, from the United States to any foreign country, or the shipment or consignment for sale of spot cotton from the United States to any foreign country, whether such order or contract be the one given or made originally, or be subsequently given or made for a purchase or sale to be substituted, for hedging the purchase, sale, or shipment or consignment for sale, of spot cotton, or be for the liquidation of any such transaction; and, second, a report of such transaction, including the shipment of the cotton involved, be made to the Secretary of the Treasury at such time or times and in such form as he may require.

"This act shall not be construed to lay any tax on cotton exported from any State.

"SEC. 11a. That upon each order received in the United States which shall have been, directly or indirectly, transmitted or directed or authorized to be transmitted by any person from a foreign country in which there is any exchange, board of trade, or similar institution or place of business at, on, or in which contracts of sale of cotton grown in the United States for future delivery are customarily made, for the making of any contract of sale of cotton grown in the United States for future delivery in cases in which a contract of sale is made pursuant thereto at, on, or in any exchange, board of trade, or similar institution or place of business in the United States, there is hereby levied an excise tax at the rate of 2 cents for each pound of the cotton so ordered to be bought or sold under such contract: *Provided*, That no tax shall be levied under this act on any such order if contracts of sale of cotton grown in the United States for future delivery which made be made at, on, or in the exchanges, boards of trade, and similar institutions and places of business in such foreign country or countries comply with the conditions specified in section 11 of this act for exemption from taxation under this act of orders sent from the United States for the making of contracts of sale in foreign countries. The Secretary of Agriculture is authorized from time to time to ascertain and determine in what foreign countries there are any exchanges, boards of trade, or similar institutions or places of business at, on, or in which contracts of sale of cotton grown in the United States for future delivery are customarily made, and whether any such contracts of sale which may be made at, on, or in such exchanges, boards of trade, or similar institutions or places of business comply with the conditions specified in section 11 of this act for exemption from taxation under this act of orders sent from the United States for the making of such contracts of sale. He shall publish such determinations in his rules and regulations made pursuant to this act.

"SEC. 12. That the tax imposed by section 3 of this act shall be paid by the seller of the cotton involved in the contract of sale, by means of stamps which shall be affixed to such contracts, or to the memoranda evidencing the same, and canceled in compliance with rules and regulations which shall be prescribed by the Secretary of the Treasury. The tax imposed by sections 11 and 11a of this act shall be paid by the sender of the order from the United States or the receiver in the United States of the order coming from a foreign country, as the case may be, and collected in accordance with rules and regulations which shall be prescribed by the Secretary of the Treasury.

"SEC. 13. That no contract of sale of cotton for future delivery mentioned in section 3 of this act which does not conform to the requirements of section 4 hereof and has not the necessary stamps affixed thereto as required by section 12 hereof shall be enforceable in any court of the United States by or on behalf of any party to such contract or his privies. That no contract of sale of cotton for future delivery made in pursuance of any order mentioned in sections 11 and 11a of this act shall be enforceable in any court of the United States by or on behalf of any party to such contract or his privies unless it conforms to the requirements of section 4 hereof and the tax imposed by section 11 or 11a upon the order for such contract shall have been paid in compliance with section 12 of this act.

"SEC. 14. That the Secretary of the Treasury is authorized to make and promulgate such rules and regulations as he may deem necessary to collect the tax imposed by this act and otherwise to enforce its provisions. Further to effect this purpose, he shall require all persons coming within its provisions to keep such records and statements of account, and may require such persons to make such returns, verified under oath or otherwise, as will fully and correctly disclose all transactions mentioned in sections 3, 11, and 11a of this act, including the origin, making, execution, settlement, and fulfillment thereof; he may require all persons who act in the capacity of a clearing house, clearing association, or similar institution for the purpose of clearing, settling, or adjusting transactions mentioned in section 3 of this act, to keep such records and to make such returns as will fully and correctly disclose all facts in their possession relating to such transaction; and he may appoint agents to conduct the inspection necessary to collect said tax and otherwise to enforce this act and all rules and regulations made by him in pursuance hereof, and may fix the compensation of such agents. The provisions of the internal revenue laws of the United States, so far as applicable, including sections 3173, 3174, and 3175 of the Revised Statutes, as amended, are hereby extended and made to apply to this act.

"SEC. 15. That any person liable to the payment of any tax imposed by this act who fails to pay, or evades or attempts to evade the payment of such tax, and any person who otherwise violates any provision of this act, or any rule or regulation made in pursuance hereof, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be

fined not less than \$100 nor more than \$20,000, in the discretion of the court; and, in case of natural persons, may, in addition, be punished by imprisonment for not less than 60 days nor more than 3 years, in the discretion of the court.

"Sec. 16. That in addition to the foregoing punishment there is hereby imposed, on account of each violation of this act, a penalty of \$2,000, to be recovered in an action founded on this act in the name of the United States as plaintiff, and when so recovered one-half of said amount shall be paid over to the person giving the information upon which such recovery was based. It shall be the duty of United States attorneys to whom satisfactory evidence of violations of this act is furnished to institute and prosecute actions for the recovery of the penalties prescribed by this section.

"Sec. 17. That no person whose evidence is deemed material by the officer prosecuting on behalf of the United States in any case brought under any provision of this act shall withhold his testimony because of complicity by him in any violation of this act or of any regulation made pursuant to this act, but any such person called by such officer who testifies in such case shall be exempt from prosecution for any offense to which his testimony relates.

"Sec. 18. That the payment of any tax levied by this act shall not exempt any person from any penalty or punishment now or hereafter provided by the laws of any State for entering into contracts of sale of cotton for future delivery, nor shall the payment of any tax imposed by this act be held to prohibit any State or municipality from imposing a tax on the same transaction.

"Sec. 19. That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1916, the unexpended balance of the sum appropriated by the act of March 4, 1915 (38 Stat. L., 1017), for "collecting the cotton-futures tax," or so much thereof as may be necessary, to enable the Secretary of the Treasury to carry out the provisions of this act and any duties remaining to be performed by him under the United States cotton-futures act of August 18, 1914 (38 Stat. L., 693).

"Sec. 20. That there are hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, available until expended, the unexpended balance of the sum of \$150,000 appropriated by section 20 of the said act of August 18, 1914, and for the fiscal year ending June 30, 1916, the unexpended balance of the sum of \$75,000 appropriated for the "enforcement of the United States cotton-futures act" by the act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1916 (38 Stat. L., 1086), or so much of each of said unexpended balances as may be necessary, to be used by the Secretary of Agriculture for the same purposes, in carrying out the provisions of this act, as those for which said sums, respectively, were originally appropriated, and to enable the Secretary of Agriculture to carry out any duties remaining to be performed by him under the said act of August 18, 1914. The Secretary of Agriculture is hereby directed to publish from time to time the results of investigations made in pursuance of this act. All sums collected by the Secretary of Agriculture as costs under section 5, or for furnishing practical forms under section 9, of this act, shall be deposited and covered into the Treasury as miscellaneous receipts.

"Sec. 21. That section 9, 19, and 20 of this act and all provisions of this act authorizing rules and regulations to be prescribed shall be effective immediately; section 11a of this act shall become and be effective on and after the 1st day of August, 1917. All other sections of this act shall become and be effective on and after the 1st day of the calendar month next succeeding the date of the passage of this act: *Provided*, That nothing in this act shall be construed to apply to any contract of sale of any cotton for future delivery mentioned in section 3 of this act which shall have been made prior to the 1st day of the calendar month next succeeding the date of the passage of this act.

"Sec. 22. That the act entitled "An act to tax the privilege of dealing on exchanges, boards of trade, and similar places in contracts of sale of cotton for future delivery, and for other purposes," approved August 18, 1914 (38 Stat. L., 693), is hereby repealed, effective on and after the 1st day of the calendar month next succeeding the date of the passage of this act: *Provided*, That nothing in this act shall be construed to affect any right or privilege accrued, any penalty or liability incurred, or any proceeding commenced under said act of August 18, 1914, or to diminish any authority conferred by said act on any official of the United States necessary to enable him to carry out any duties remaining to be performed by him under the said act, or to impair the effect of the findings of the Secretary of Agriculture upon any dispute referred to him under said act, or to affect any right in respect to, or arising out of, any contract mentioned in section 3 of said act, made on or subsequent to February 18, 1915, and prior to the 1st day of the calendar month next succeeding the date of the passage of this act, but so far as concerns any such contract said act of August 18, 1914, shall remain in force with the same effect as if this act had not been passed.

"Sec. 23. That if any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered."

Mr. LEVER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from South Carolina offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 77, after line 2, insert the following:

"Amendment No. 2, part B. That this part, to be known as the United States grain act, be and is hereby enacted, to read and be effective hereafter as follows: This act shall be known by the short title of 'the United States grain grade act.'"

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I understand that it is the plan of the chairman of the committee to present these three proposals to the Committee on Rules to make them in order. In order to accommodate him, so that the three can be brought in under the rule, I make a point of order against it.

Mr. GARRETT. Mr. Chairman, the gentleman from Wisconsin states that he makes the point of order on this particular amendment as a matter of accommodation; but may I ask the gentleman if it is his real purpose to make the point of order?

Mr. STAFFORD. I question whether I would press the point of order but for the fact we have passed the usual hour of adjournment. It is after 5.30 o'clock. To require these respective amendments to be read would keep us in session until 6 o'clock. I believe gentlemen on that side are going to have a caucus tonight. I think the gentleman from South Carolina [Mr. LEVER] desires to have these amendments printed in the RECORD for the convenience of Members of the House.

Mr. BORLAND. The gentleman has no objection to this particular amendment, has he—this grain-grading amendment?

Mr. MADDEN. I think I will make a point of order against the amendment if no one else does.

Mr. STAFFORD. I have no objection to some of these provisions, but there are other Members on this side who do object to them, and so I am accommodating the gentleman from South Carolina in making the point of order.

Mr. LEVER. The gentleman from Illinois will make the point of order on this?

Mr. MADDEN. Yes.

Mr. HEFLIN. The gentleman from Illinois makes the point of order.

Mr. LEVER. I concede the point of order.

The CHAIRMAN. The gentleman from South Carolina [Mr. LEVER] concedes the point of order, and on that concession the Chair will sustain it, not because of his own judgment, for he has not even read it. The gentleman from South Carolina concedes the point of order, and the Chair sustains it.

Mr. LEVER. I ask unanimous consent that this amendment may be printed in the RECORD.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the amendment be printed in the RECORD. Is there objection?

Mr. FOSTER. Reserving the right to object, when the rule comes in will not this amendment be printed in the RECORD again?

Mr. LEVER. I presume so.

Mr. FOSTER. Why is it necessary to print it twice?

Mr. LEVER. Members may wish to see the proposition that is to come before the House.

Mr. MADDEN. I think it is only fair that they should have that opportunity.

Mr. LEVER. That was my idea—that Members would like to see it in the RECORD.

Mr. BORLAND. Reserving the right to object, is it the purpose to couple all these three propositions together, to make them in order in one rule?

Mr. LEVER. It is.

Mr. BORLAND. Why could they not stand on their individual merits?

Mr. LEVER. Simply to save time; that is all.

Mr. MADDEN. We will have a right to vote on them separately?

Mr. LEVER. Oh, yes.

The CHAIRMAN. Is there objection?

Mr. MOORE of Pennsylvania. I object.

Mr. STAFFORD. The gentleman does not object to having them printed in the RECORD, does he?

Mr. MOORE of Pennsylvania. Will the Chair state the proposition again?

The CHAIRMAN. The request of the gentleman from South Carolina is that the amendment which he proposes may be printed in the RECORD.

Mr. MOORE of Pennsylvania. Merely for information?

Mr. LEVER. Yes.

Mr. MOORE of Pennsylvania. I make no objection to that.

The CHAIRMAN. Is there objection?

There was no objection.

The amendment is as follows:

Amendment offered by Mr. LEVER: Page 77, after line 2, insert the following:

"AMENDMENT No. 2.

"Part B.

"That this part, to be known as the United States grain grades act, be and is hereby enacted, to read and be effective hereafter as follows: "That this act shall be known by the short title of the "United States grain grades act."

"Sec. 2. That the Secretary of Agriculture is hereby authorized to investigate the handling, grading, and transportation of grain and to fix and establish as soon as may be after the enactment hereof standards of quality and condition for corn (maize), wheat, rye, oats, barley, flaxseed, and such other grains as in his judgment the usages of the trade may warrant and permit, and the Secretary of Agriculture shall have power to alter or modify such standards whenever the necessities of the trade may require. In promulgating the standards, or any alteration or modification of such standards, the Secretary shall specify the date or dates when the same shall become effective, and shall give public notice, not less than 60 days in advance of such date or dates, by such means as he deems proper.

"Sec. 3. That the standards so fixed and established shall be known as the official grain standards of the United States.

"Sec. 4. That whenever standards shall have been fixed and established under this act for any grain no person thereafter shall ship or deliver for shipment from any State, Territory, or District to or through any other State, Territory, or District, or to any foreign country, any such grain which is sold or offered for sale by grade unless the grain shall have been inspected and graded by an inspector licensed under this act and the grade by which it is sold or offered for sale be one of the grades fixed therefor in the official grain standards of the United States: *Provided*, That any such grain not sold or offered for sale by grade may be sold, offered for sale, shipped, or delivered for shipment in interstate and foreign commerce by sample or by type, or under any name, description, or designation which is not false or misleading, and which name, description, or designation does not include in whole or in part the terms of any official grain standard of the United States: *Provided further*, That any such grain sold or offered for sale by one of the grades fixed therefor in the official grain standards may be shipped to or through any place at which an inspector licensed under this act is located, subject, under such rules and regulations as the Secretary of Agriculture shall prescribe, to be inspected at the place to which shipped, or at the place through which shipped for inspection, and subject further to the right of appeal from such inspection, as provided in section 6 of this act: *And provided further*, That any such grain sold or offered for sale by any of the grades fixed therefor in the official grain standards may, upon compliance with the rules and regulations prescribed by the Secretary of Agriculture, be shipped without inspection from a place at which there is no inspector licensed under this act to a place at which there is no such inspector, subject to the right of either party to refer any dispute as to the grade of the grain to the Secretary of Agriculture, who may determine and certify the true grade thereof. No person shall in any certificate or in any contract or agreement of sale or agreement to sell by grade, either oral or written, involving, or in any invoice or bill of lading or other shipping document relating to, the shipment or delivery for shipment, in interstate or foreign commerce, of any grain for which standards shall have been fixed and established under this act describe, or in any way refer to, any of such grain as being of any grade other than a grade fixed therefor in the official grain standards of the United States.

"Sec. 5. That no person shall represent that any grain shipped or delivered for shipment in interstate or foreign commerce is of a grade fixed in the official grain standards other than as shown by a certificate therefor issued in compliance with this act; and the Secretary of Agriculture is authorized to cause examinations to be made of any grain for which standards shall have been fixed and established under this act, and which has been certified to conform to any grade fixed therefor in such official grain standards, or which has been shipped or delivered for shipment in interstate or foreign commerce. Whenever, after opportunity for hearing is given to the owner or shipper of the grain involved, and to the inspector thereof if the same has been inspected, it is determined by the Secretary that any quantity of grain has been incorrectly certified to conform to a specified grade, or has been sold or offered for sale under any name, description, or designation which is false or misleading, he may publish his findings.

"Sec. 6. That whenever standards shall have been fixed and established under this act for any grain and any quantity of such grain which has been sold, offered for sale, shipped, or delivered for shipment in interstate or foreign commerce shall have been inspected and a dispute arises as to whether the grade as determined by such inspection of any such grain in fact conforms to the standard of the specified grade, any interested party may appeal the question to the Secretary of Agriculture, and the Secretary of Agriculture is authorized to cause such investigation to be made and such tests to be applied as he may deem necessary and to determine the true grade: *Provided*, That any appeal from such inspection to the Secretary of Agriculture shall be taken before the grain leaves the place where the inspection appealed from was made and before the identity of the grain has been lost, under such rules and regulations as the Secretary of Agriculture shall prescribe. In every such case the Secretary of Agriculture shall charge and assess, and cause to be collected, a reasonable fee in amount to be fixed by him, which fee shall be refunded if the appeal is sustained. All such fees shall be deposited and covered into the Treasury as miscellaneous receipts. The findings of the Secretary of Agriculture as to grade, made after the parties in interest have had opportunity to be heard, shall be accepted in the courts of the United States in all suits between such parties, or their privies, as prima facie evidence of the true grade of the grain determined by him at the time and place specified in the findings.

"Sec. 7. The Secretary of Agriculture may issue a license to any person, upon presentation to him of satisfactory evidence that such person is competent to inspect and grade grain for interstate and foreign commerce. No person authorized or employed by any State, county, city, town, board of trade, chamber of commerce, corporation, society, or association to inspect or grade grain shall certify, or otherwise state or indicate in writing, that any grain for interstate or foreign commerce which has been inspected or graded by him, or by any person acting under his authority, is of one of the official grades of the United States, unless he holds an unsuspended and unrevoked license issued by the Secretary of Agriculture: *Provided*, That in any State which has State grain inspection established by law, the Secretary of Agriculture shall, in issuing licenses, give preference to persons duly authorized and employed to inspect and grade grain under the laws of such State. The Secretary of Agriculture may suspend or revoke any license issued by him whenever, after opportunity for hearing has been given, the Secretary shall determine that any inspector has been found to be incompetent or has knowingly or carelessly graded grain improperly or by any other standard than is authorized under this act, or has issued any false certificate of inspection, or has accepted any money or other consideration, directly or indirectly, for any neglect or improper performance of duty, or has knowingly violated any provision of this act or of the rules and regulations made hereunder. Pending investigation the Secretary of Agriculture, whenever he deems necessary, may suspend a license temporarily without hearing.

"Sec. 8. That the Secretary of Agriculture, shall, from time to time, make such rules and regulations as he may deem necessary for the efficient execution of the provisions of this act.

"Sec. 9. That any person who shall violate any of the provisions of sections 4 or 7 of this act, or any inspector licensed under this act who shall knowingly or carelessly inspect or grade improperly any grain which has been shipped or delivered for shipment in interstate or foreign commerce, or shall knowingly or carelessly give any false certificate of inspection or grade, or shall accept money or other consideration, directly or indirectly, for any neglect or improper performance of duty, and any person who shall improperly influence or attempt to im-

properly influence any such inspector in the performance of his duty, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$1,000 or be imprisoned not more than one year, or both.

"Sec. 10. That every person who forcibly assaults, resists, impedes, or interferes with any officer or employee of the United States Department of Agriculture in the execution of any duties authorized to be performed by this act or the rules and regulations made hereunder shall, upon conviction thereof, be fined not more than \$1,000, or be imprisoned not more than one year, or both.

"Sec. 11. That the word "person" wherever used in this act shall be construed to import the plural or singular, as the case demands, and shall include individuals, corporations, companies, societies, and associations. When construing and enforcing the provisions of this act, the act, omission, or failure of any official, agent, or other person acting for or employed by any corporation, company, society, or association within the scope of his employment or office shall, in every case, also be deemed the act, omission, or failure of such corporation, company, society, or association, as well as that of the person.

"Sec. 12. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$125,000, which shall be available until expended, for the expenses of carrying into effect the provisions of this act, including rent and the employment of such persons as the Secretary of Agriculture may deem necessary in the city of Washington and elsewhere."

Mr. LEVER. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 77, after line 2, insert the following:

"Amendment No. 3, part C. That this part, to be known as the United States warehouse act, be, and is hereby, enacted to read and be effective hereafter as follows."

Mr. STAFFORD. Mr. Chairman, with the same purpose I make the point of order.

The CHAIRMAN. Does the gentleman from South Carolina concede the point of order?

Mr. LEVER. I do.

The CHAIRMAN. The point of order is sustained.

Mr. LEVER. Now, I ask unanimous consent that this amendment be printed in the RECORD.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the amendment be printed in the RECORD for information. Is there objection?

Mr. MOORE of Pennsylvania. Reserving the right to object, does this include all the amendments that are to be acted on tomorrow, to come up under the rule?

Mr. LEVER. It does.

Mr. MOORE of Pennsylvania. I do not object.

The CHAIRMAN. Is there objection?

There was no objection.

The amendment is as follows:

Amendment offered by Mr. LEVER: Page 77, after line 2, insert the following:

"AMENDMENT NO. 3.

"Part C.

"That this part, to be known as the United States warehouse act, be, and is hereby, enacted to read and be effective hereafter as follows: "That this act shall be known by the short title of "United States warehouse act."

"Sec. 2. That the term "warehouse" as used in this act shall be deemed to mean every building, structure, or other protected inclosure in which any agricultural product is or may be stored for interstate or foreign commerce, or, if located within any place under the exclusive jurisdiction of the United States, in which any agricultural product is or may be stored. The term "agricultural product" wherever used in this act shall be deemed to mean cotton, wool, grains, tobacco, and flaxseed, or any of them. As used in this act, "person" includes a corporation or partnership or two or more persons having a joint or common interest; "warehouseman" means a person lawfully engaged in the business of storing agricultural products; and "receipt" means a warehouse receipt.

"Sec. 3. That the Secretary of Agriculture is authorized to investigate the storage, warehousing, classifying according to grade and otherwise, weighing, and certification of agricultural products; upon application to him by any person applying for license to conduct a warehouse under this act, to inspect such warehouse or cause it to be inspected; at any time, with or without application to him, to inspect or cause to be inspected all warehouses licensed under this act; to determine whether warehouses for which licenses are applied for or have been issued under this act are suitable for the proper storage of any agricultural product or products; to classify warehouses in accordance with their ownership, location, surroundings, capacity, conditions, and other qualities, and as to the kinds of licenses issued or that may be issued for them pursuant to this act; and to prescribe, within the limitations of this act, the duties of the warehousemen conducting warehouses licensed under this act with respect to their care of and responsibility for agricultural products stored therein.

"Sec. 4. That the Secretary of Agriculture is authorized, upon application to him, to issue to any warehouseman a license for the conduct of a warehouse or warehouses in accordance with this act and such rules and regulations as may be made hereunder: *Provided*, That each such warehouse be found suitable for the proper storage of the particular agricultural product or products for which a license is applied for, and that such warehouseman agree, as a condition to the granting of the license, to comply with and abide by all the terms of this act and the rules and regulations prescribed hereunder.

"Sec. 5. That each license issued under sections 4 and 9 of this act shall be issued for a period not exceeding one year and shall specify the date upon which it is to terminate, and upon showing satisfactory to the Secretary of Agriculture may from time to time be renewed or extended by a written instrument, which shall specify the date of its termination.

"Sec. 6. That each warehouseman applying for a license to conduct a warehouse in accordance with this act shall, as a condition to

the granting thereof, execute and file with the Secretary of Agriculture a good and sufficient bond other than personal security to the United States to secure the faithful performance of his obligations as a warehouseman under the laws of the State, District, or Territory in which he is conducting such warehouse, as well as under the terms of this act and the rules and regulations prescribed hereunder, and of such additional obligations as a warehouseman as may be assumed by him under contracts with the respective depositors of agricultural products in such warehouse. Said bond shall be in such form and amount, shall have such surety or sureties, subject to service of process in suits on the bond within the State, District, or Territory in which the warehouse is located, and shall contain such terms and conditions as the Secretary of Agriculture may prescribe to carry out the purposes of this act. Whenever the Secretary of Agriculture shall determine that a bond approved by him is, or for any cause has become, insufficient, he may require an additional bond or bonds to be given by the warehouseman concerned, conforming with the requirements of this section, and unless the same be given within the time fixed by a written demand therefor the license of such warehouseman may be suspended or revoked.

"Sec. 7. That any person injured by the breach of any obligation to secure which a bond is given, under the provisions of sections 6 or 9, shall be entitled to sue on the bond in his own name in any court of competent jurisdiction to recover the damages he may have sustained by such breach.

"Sec. 8. That upon the filing with and approval by the Secretary of Agriculture of a bond, in compliance with this act, for the conduct of a warehouse, such warehouse shall be designated as bonded hereunder; but no warehouse shall be designated as bonded under this act, and no name or description conveying the impression that it is so bonded, shall be used, until a bond, such as provided for in section 6, has been filed with and approved by the Secretary of Agriculture, nor unless the license issued under this act for the conduct of such warehouse remains unsuspended and unrevoked.

"Sec. 9. That the Secretary of Agriculture may, under such rules and regulations as he shall prescribe, issue a license to any person not a warehouseman to accept the custody of agricultural products and to store the same in a warehouse or warehouses owned, operated, or leased by any State, upon condition that such person agree to comply with and abide by the terms of this act and the rules and regulations prescribed hereunder. Each person so licensed shall issue receipts for the agricultural products placed in his custody, and shall give bond, in accordance with the provisions of this act and the rules and regulations hereunder affecting warehousemen licensed under this act, and shall otherwise be subject to this act and such rules and regulations to the same extent as is provided for warehousemen licensed hereunder.

"Sec. 10. That the Secretary of Agriculture shall charge, assess, and cause to be collected a reasonable fee for every examination or inspection of a warehouse under this act when such examination or inspection is made upon application of a warehouseman, and a fee not exceeding \$2 per annum for each license or renewal thereof issued to a warehouseman under this act. All such fees shall be deposited and covered into the Treasury as miscellaneous receipts.

"Sec. 11. That the Secretary of Agriculture may, upon presentation of satisfactory proof of competency, issue to any person a license to classify any agricultural product or products, stored or to be stored in a warehouse licensed under this act, according to grade or otherwise and to certificate the grade or other class thereof, or to weigh the same and certificate the weight thereof, or both to classify and weigh the same and to certificate the grade or other class and the weight thereof, upon condition that such person agree to comply with and abide by the terms of this act and of the rules and regulations prescribed hereunder so far as the same relate to him.

"Sec. 12. That any license issued to any person to classify or to weigh any agricultural product or products under this act may be suspended or revoked by the Secretary of Agriculture whenever he is satisfied, after opportunity afforded to the licensee concerned for a hearing, that such licensee has failed to classify or to weigh any agricultural product or products correctly, or has violated any of the provisions of this act or of the rules and regulations prescribed hereunder, so far as the same may relate to him, or that he has used his license or allowed it to be used for any improper purpose whatsoever. Pending investigation, the Secretary of Agriculture, whenever he deems necessary, may suspend a license temporarily without hearing.

"Sec. 13. That every warehouseman conducting a warehouse licensed under this act shall receive for storage therein, so far as its capacity permits, any agricultural product of the kind customarily stored therein by him which may be tendered to him in a suitable condition for warehousing, in the usual manner in the ordinary and usual course of business, without making any discrimination between persons desiring to avail themselves of warehouse facilities.

"Sec. 14. That any person who deposits agricultural products for storage in a warehouse licensed under this act shall be deemed to have deposited the same subject to the terms of this act and the rules and regulations prescribed hereunder.

"Sec. 15. That grain, flaxseed, or any other fungible agricultural product stored for interstate or foreign commerce, or in any place under the exclusive jurisdiction of the United States, in a warehouse licensed under this act shall be inspected and graded by a person duly licensed to grade the same under this act.

"Sec. 16. That every warehouseman conducting a warehouse licensed under this act shall keep the agricultural products therein of one depositor so far separate from agricultural products of other depositors, and from other agricultural products of the same depositor for which a separate receipts has been issued, as to permit at all times the identification and redelivery of the agricultural products deposited; but if authorized by agreement or by custom, a warehouseman may mingle fungible agricultural products with other agricultural products of the same kind and grade, and shall be severally liable to each depositor for the care and redelivery of his share of such mass, to the same extent and under the same circumstances as if the agricultural products had been kept separate, but he shall at no time while they are in his custody mix fungible agricultural products of different grades.

"Sec. 17. That for all agricultural products stored for interstate or foreign commerce, or in any place under the exclusive jurisdiction of the United States, in a warehouse licensed under this act original receipts shall be issued by the warehouseman conducting the same, but no receipts shall be issued except for agricultural products actually stored in the warehouse at the time of the issuance thereof.

"Sec. 18. That every receipt issued for agricultural products stored in a warehouse licensed under this act shall embody within its written or printed terms (a) the location of the warehouse in which the agricultural products are stored; (b) the date of issue of the receipt; (c)

the consecutive number of the receipt; (d) a statement whether the agricultural products received will be delivered to the bearer, to a specified person, or to a specified person or his order; (e) the rate of storage charges; (f) a description of the agricultural products received, showing the quantity thereof, or, in case of agricultural products customarily put up in bales or packages, a description of such bales or packages by marks, numbers, or other means of identification and the weight of such bales or packages; (g) the grade or other class of the agricultural products received and the standard or description in accordance with which such classification has been made: *Provided*, That such grade or other class shall be stated according to the official standard of the United States applicable to such agricultural products as the same may be fixed and promulgated under authority of law: *Provided further*, That until such official standards of the United States for any agricultural product or products have been fixed and promulgated, the grade or other class thereof may be stated in accordance with any recognized standard or in accordance with such rules and regulations not inconsistent herewith as may be prescribed by the Secretary of Agriculture; (h) a statement that the receipt is issued subject to the United States warehouse act and the rules and regulations prescribed thereunder; (i) if the receipt be issued for agricultural products of which the warehouseman is owner, either solely or jointly or in common with others, the fact of such ownership; (j) a statement of the amount of advances made and of liabilities incurred for which the warehouseman claims a lien: *Provided*, That if the precise amount of such advances made or of such liabilities incurred be at the time of the issue of the receipt unknown to the warehouseman or his agent who issues it, a statement of the fact that advances have been made or liabilities incurred and the purpose thereof shall be sufficient; (k) such other terms and conditions within the limitations of this act as may be required by the Secretary of Agriculture; and (l) the signature of the warehouseman, which may be made by his authorized agent: *Provided*, That unless otherwise required by the law of the State in which the warehouse is located, when requested by the depositor of other than fungible agricultural products, a receipt omitting compliance with subdivision (g) of this section may be issued if it have plainly and conspicuously embodied in its written or printed terms a provision that such receipt is not negotiable.

"Sec. 19. That the Secretary of Agriculture is authorized, from time to time, to establish and promulgate standards for agricultural products in this act defined by which their quality or value may be judged or determined: *Provided*, That the standards for any agricultural products which have been or which in future may be established by or under authority of any other act of Congress shall be, and are hereby, adopted for the purposes of this act as the official standards of the United States for the agricultural products to which they relate.

"Sec. 20. That while an original receipt issued under this act is outstanding and uncanceled by the warehouseman issuing the same no other or further receipt shall be issued for the agricultural product covered thereby or for any part thereof, except that in the case of a lost or destroyed receipt a new receipt, upon the same terms and subject to the same conditions and bearing on its face the number and date of the receipt in lieu of which it is issued, may be issued upon compliance with the statutes of the United States applicable thereto in places under the exclusive jurisdiction of the United States or upon compliance with the laws of any State applicable thereto in any place not under the exclusive jurisdiction of the United States: *Provided*, That if there be in such case no statute of the United States or law of a State applicable thereto such new receipts may be issued upon the giving of satisfactory security in compliance with the rules and regulations made pursuant to this act.

"Sec. 21. That a warehouseman conducting a warehouse licensed under this act, in the absence of some lawful excuse, shall, without unnecessary delay, deliver the agricultural products stored therein upon a demand made either by the holder of a receipt for such agricultural products or by the depositor thereof if such demand be accompanied with (a) an offer to satisfy the warehouseman's lien; (b) an offer to surrender the receipt, if negotiable, with such indorsements as would be necessary for the negotiation of the receipt; and (c) a readiness and willingness to sign, when the products are delivered, an acknowledgment that they have been delivered if such signature is requested by the warehouseman.

"Sec. 22. That a warehouseman conducting a warehouse licensed under this act shall cancel each receipt returned to him upon the delivery by him of the agricultural products for which the receipt was issued.

"Sec. 23. That every warehouseman conducting a warehouse licensed under this act shall keep in a place of safety complete and correct records of all agricultural products stored therein and withdrawn therefrom, of all warehouse receipts issued by him, and of the receipts returned to and canceled by him, shall make reports to the Secretary of Agriculture concerning such warehouse and the condition, contents, operation, and business thereof in such form and at such times as he may require, and shall conduct said warehouse in all other respects in compliance with this act and the rules and regulations made hereunder.

"Sec. 24. That the Secretary of Agriculture is authorized to cause examinations to be made of any agricultural product stored in any warehouse licensed under this act. Whenever, after opportunity for hearing is given to the warehouseman conducting such warehouse, it is determined that he is not performing fully the duties imposed on him by this act and the rules and regulations made hereunder, the Secretary may publish his findings.

"Sec. 25. That the Secretary of Agriculture may, after opportunity for hearing has been afforded to the licensee concerned, suspend or revoke any license issued to any warehouseman conducting a warehouse under this act, for any violation of or failure to comply with any provision of this act or of the rules and regulations made hereunder or upon the ground that unreasonable or exorbitant charges have been made for services rendered. Pending investigation, the Secretary of Agriculture, whenever he deems necessary, may suspend a license temporarily without hearing.

"Sec. 26. That the Secretary of Agriculture from time to time may publish the results of any investigations made under section 3 of this act; and he shall publish the names and locations of warehouses licensed and bonded and the names and addresses of persons licensed under this act, and lists of all licenses terminated under this act, and the causes therefor.

"Sec. 27. That the Secretary of Agriculture is authorized, through officials, employees, or agents of the Department of Agriculture designated by him, to examine all books, records, papers, and accounts of warehouses licensed under this act and of the warehousemen conducting such warehouses relating thereto.

"SEC. 28. That the Secretary of Agriculture shall from time to time make such rules and regulations as he may deem necessary for the efficient execution of the provisions of this act.

"SEC. 29. That nothing in this act shall be construed to conflict with, or to authorize any conflict with, or in any way to impair or limit the effect or operation of the laws of any State relating to warehouses, warehousemen, weighers, graders, or classifiers; but the Secretary of Agriculture is authorized to cooperate with such officials as are charged with the enforcement of such State laws in such States and through such cooperation to secure the enforcement of the provisions of this act; nor shall this act be construed so as to limit the operation of any statute of the United States relating to warehouses or warehousemen, weighers, graders, or classifiers now in force in the District of Columbia or in any Territory or other place under the exclusive jurisdiction of the United States.

"SEC. 30. That every person who shall forge, alter, counterfeit, simulate, or falsely represent, or shall without proper authority use, any license issued by the Secretary of Agriculture under this act, or who shall violate or fail to comply with any provision of section 8 of this act, or who shall issue or utter a false or fraudulent receipt or certificate, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$500 or imprisoned not more than six months, or both, in the discretion of the court.

"SEC. 31. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$50,000, available until expended, for the expenses of carrying into effect the provisions of this act, including the payment of such rent and the employment of such persons and means as the Secretary of Agriculture may deem necessary in the city of Washington and elsewhere, and he is authorized, in his discretion, to employ qualified persons not regularly in the service of the United States for temporary assistance in carrying out the purposes of this act, and out of the moneys appropriated by this act to pay the salaries and expenses thereof.

"SEC. 32. That if any clause, sentence, paragraph, or part of this act shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

"SEC. 33. That the right to amend, alter, or repeal this act is hereby expressly reserved."

EXTENSION OF REMARKS.

Mr. BURKE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the pending bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

By unanimous consent, the following Members were given leave to extend their remarks in the RECORD: Mr. BENNET, Mr. SINGEL, Mr. HICKS, Mr. McFADDEN, Mr. JACOWAY, Mr. FESS, and Mr. STEPHENS of Texas.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12717, the Agricultural appropriation bill, and had come to no resolution thereon.

HOOR OF MEETING TO-MORROW.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 a. m. to-morrow.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

There was no objection.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 5415. An act to authorize the construction of a bridge across the Fox River at Geneva, Ill.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 3536. An act to provide for the storing and cleansing of imported Mexican peas commonly called "garbanzo"; to the Committee on Ways and Means.

ADJOURNMENT.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 38 minutes p. m.) the House adjourned until to-morrow, Friday, April 28, 1916, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers,

reports on preliminary examination and survey of Galena River, Ill. (H. Doc. No. 1061), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HINDS, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 4401) to conduct investigations and experiments for ameliorating the damage wrought to the fisheries by predacious fishes and aquatic animals, reported the same without amendment, accompanied by a report (No. 609), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FARR, from the Committee on Naval Affairs, to which was referred the bill (H. R. 11168) granting 30 days' leave of absence in each year, without forfeiture of pay during such leave, to employees at United States navy yards, gun factories, naval stations, and arsenals, reported the same with amendment, accompanied by a report (No. 610), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 14345) to reimburse J. B. Patterson, postmaster of Lacon, Morgan County, Ala., for certain postage stamps stolen; Committee on Post Office and Post Roads discharged, and referred to the Committee on Claims.

A bill (H. R. 9856) granting to the St. Louis, Iron Mountain & Southern Railway, and to the Anheuser-Busch Brewing Association, and to the Manufacturers' Railway Co., permission to transfer certain rights of easement for railway purposes heretofore granted by the United States to the St. Louis & Iron Mountain Railway Co. and to the Anheuser-Busch Brewing Association, respectively; Committee on the Public Lands discharged, and referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and a resolution were introduced and severally referred as follows:

By Mr. YOUNG of Texas: A bill (H. R. 15094) for purchase of site and erection of a building to be used as a post office at the town of Henderson, Rusk County, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. DAVIS of Texas: A bill (H. R. 15095) to recognize the rights of the States in the regulation and prohibition of the manufacture and sale of intoxicating beverages and to forbid the issuance of internal-revenue licenses to sell the same in any State or Territory in violation of the law of such State or Territory; to the Committee on Ways and Means.

By Mr. FERRIS: A bill (H. R. 15096) to amend the act entitled "An act to amend sections 2275 and 2276 of the Revised Statutes of the United States providing for the selection of lands for educational purposes in lieu of those appropriated," and to authorize an exchange of lands between the United States and the several States; to the Committee on the Public Lands.

By Mr. WICKERSHAM: A bill (H. R. 15097) to provide for the surveying of the villages occupied by natives of Alaska, and for the disposal of lots therein, and for other purposes; to the Committee on the Public Lands.

By Mr. SMITH of Idaho: A bill (H. R. 15098) to provide for the erection of a Federal building at Nampa, Idaho; to the Committee on Public Buildings and Grounds.

By Mr. FINLEY: A bill (H. R. 15099) for the erection of a public building at Winnsboro, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. EAGAN: A bill (H. R. 15100) providing for the acquiring of site and construction of Federal building for Weehawken post office, in the town of Union, Hudson County, N. J.; to the Committee on Appropriations.

By Mr. NICHOLS of Michigan: Concurrent resolution (H. Con. Res. 34) for the sale or lease of Fort Wayne, Mich., to the city of Detroit for park or other municipal purposes; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 15101) granting a pension to Eliza J. Moore; to the Committee on Invalid Pensions.

By Mr. ALMON: A bill (H. R. 15102) for the relief of J. R. Wells; to the Committee on Claims.

Also, a bill (H. R. 15103) granting an increase of pension to Stanbery Jenkins; to the Committee on Invalid Pensions.

By Mr. ANDERSON: A bill (H. R. 15104) granting a pension to Houston Lemon; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 15105) granting an increase of pension to George W. Murphy; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 15106) granting an increase of pension to Richard N. Solomon; to the Committee on Invalid Pensions.

By Mr. BARKLEY: A bill (H. R. 15107) granting an increase of pension to William W. Echols; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15108) granting an increase of pension to Jonathan Bondy; to the Committee on Invalid Pensions.

By Mr. BENNET: A bill (H. R. 15109) for the relief of Catherine A. Fox; to the Committee on Claims.

By Mr. BROWNE: A bill (H. R. 15110) to correct the military record of John C. Harris; to the Committee on Military Affairs.

By Mr. CASEY: A bill (H. R. 15111) granting an increase of pension to Delight A. Allen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15112) for the relief of John McCarthy; to the Committee on Military Affairs.

Also, a bill (H. R. 15113) to correct the record of Alfred Groff, deceased; to the Committee on Military Affairs.

By Mr. FESS: A bill (H. R. 15114) for the relief of John W. Kellough; to the Committee on Military Affairs.

Also, a bill (H. R. 15115) for the relief of Henry Harris; to the Committee on War Claims.

By Mr. HENSLEY: A bill (H. R. 15116) granting an increase of pension to Charles H. Hearing; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15117) for the relief of John Steagall; to the Committee on the Public Lands.

Also, a bill (H. R. 15118) for the relief of the trustees of the Arcadia-Ironton charge of the Methodist Episcopal Church South; to the Committee on War Claims.

By Mr. HINDS: A bill (H. R. 15119) to amend and correct the military record of Alvah B. Doble; to the Committee on Military Affairs.

By Mr. JACOWAY: A bill (H. R. 15120) for the relief of the heirs of Simon Kirkpatrick; to the Committee on War Claims.

By Mr. JOHNSON of Kentucky: A bill (H. R. 15121) for the relief of Pleasant M. Heath; to the Committee on Military Affairs.

Also, a bill (H. R. 15122) granting an increase of pension to Hiram S. Woods; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15123) granting an increase of pension to Martha Town; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 15124) granting an increase of pension to Julian Bloom; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15125) for the relief of William Thomas Matingley; to the Committee on Military Affairs.

By Mr. KINKAID: A bill (H. R. 15126) granting a pension to Mary H. Elder; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 15127) granting a pension to Mary M. Baugher; to the Committee on Invalid Pensions.

By Mr. LOFT: A bill (H. R. 15128) granting an increase of pension to John L. Morgan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15129) granting an increase of pension to Ida M. Satterfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15130) granting an increase of pension to Sarah A. Thatcher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15131) granting an increase of pension to John M. Millan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15132) granting an increase of pension to Jacob Brock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15133) granting an increase of pension to Jonathan Bondy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15134) granting an increase of pension to Lydia Ann Hagan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15135) granting an increase of pension to James Logsdon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15136) granting an increase of pension to George W. Sullivan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15137) granting a pension to Katharine Fey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15138) granting a pension to Pattie D. Davis; to the Committee on Invalid Pensions.

By Mr. MCGILLICUDDY: A bill (H. R. 15139) granting a pension to Mary L. Ward; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 15140) granting a pension to Jennie Pond; to the Committee on Invalid Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 15141) granting an increase of pension to Samuel W. Vest; to the Committee on Invalid Pensions.

By Mr. PARKER of New York: A bill (H. R. 15142) granting an increase of pension to Martin A. Monroe; to the Committee on Invalid Pensions.

By Mr. REILLY: A bill (H. R. 15143) granting an increase of pension to Clara A. Short; to the Committee on Invalid Pensions.

By Mr. SCOTT of Michigan: A bill (H. R. 15144) granting a pension to Lorenzo J. McEvoy; to the Committee on Pensions.

By Mr. SHERWOOD: A bill (H. R. 15145) granting a pension to Florence Ada Stoddard; to the Committee on Invalid Pensions.

By Mr. SISSON: A bill (H. R. 15146) for the relief of Albert G. Barton; to the Committee on Claims.

Also, a bill (H. R. 15147) granting a pension to John E. Hall; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 15148) granting an increase of pension to Nelson Hart; to the Committee on Invalid Pensions.

By Mr. STINESS: A bill (H. R. 15149) granting an increase of pension to Waldo F. Raynsford; to the Committee on Invalid Pensions.

By Mr. STONE: A bill (H. R. 15150) providing for the refund to the Union Brewing Co. of certain excise tax paid in excess; to the Committee on Claims.

By Mr. WALSH: A bill (H. R. 15151) for the relief of William Befuhs, alias Charles Cameron, Company B, Twenty-eighth Massachusetts Volunteer Infantry; to the Committee on Military Affairs.

Also, a bill (H. R. 15152) for the relief of Le Roy G. Weston, Company F, United States Heavy Artillery; to the Committee on Military Affairs.

By Mr. WARD: A bill (H. R. 15153) granting an increase of pension to Mrs. Emma M. Neske; to the Committee on Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 15154) granting a pension to Anna E. Little; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15155) granting a pension to Abner L. Tuttle; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of members of the council of the Society of the Governor and Company of Massachusetts Bay, in New England, favoring preparedness; to the Committee on Military Affairs.

By Mr. ALLEN: Memorial of Cincinnati Bar Association, opposing courts taking cases from the jury or asserting their opinions as to facts, and favoring juries fixing punishment; to the Committee on the Judiciary.

By Mr. ASHBROOK: Papers to accompany House bill 12719, for relief of Mary L. Bishop; to the Committee on Invalid Pensions.

By Mr. BROWNING: Petition of union meeting of members of Collingwood (N. J.) Methodist Episcopal Church, favoring constitutional amendment forbidding polygamy; to the Committee on the Judiciary.

By Mr. BURKE: Petitions of W. E. Renn and 158 citizens of Hustisford, Julius C. Schulz and 5 citizens of Rubicon, Gustav A. Koenig and 74 citizens of Newburg, all in the State of Wisconsin, against war with Germany or any other nation; to the Committee on Foreign Affairs.

Also, memorial of Boot and Shoe Workers' Union No. 197, Sheboygan, Wis., asking passage of House bill 6871, relative to convict-made goods; to the Committee on Labor.

By Mr. CHARLES: Petitions of sundry citizens of the thirtieth congressional district of New York, against war with Germany on the submarine question; to the Committee on Foreign Affairs.

By Mr. DALE of New York: Petition of C. K. Gleason, of New York City, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of Alice C. Trenthart, of Portsmouth, Ohio, favoring woman-suffrage amendment; to the Committee on the Judiciary.

By Mr. DEWALT: Petition of Macungie (Pa.) Grange, protesting against any limitation to the parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of the State of Pennsylvania, requesting that all products of the farm be placed on an equitable tariff basis; to the Committee on Ways and Means.

Also, petition of Henry Wood and 184 others, of Allentown, Pa., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens and organizations of the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of members of the Alexander Hamilton Business Club, of Reading, Pa., favoring the Stevens bill, House bill 13305; to the Committee on Interstate and Foreign Commerce.

By Mr. FLYNN: Petition of C. K. Gleason, of New York City, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of the United Trades and Labor Council of Streator, Ill., favoring the anti-Taylor system bill, House bill 8665; to the Committee on Labor.

Also, petitions of sundry citizens of Minooka and Grand Ridge, Ill., favoring tax on mail-order houses; to the Committee on Ways and Means.

Also, petition of Illinois League for Nursing Education, favoring House resolution for inspection of dairies; to the Committee on Rules.

By Mr. GALLIVAN: Memorial of Massachusetts Christian Endeavor Union, relative to national prohibition; to the Committee on the Judiciary.

Also, petition of New England Shoe & Leather Association, favoring bill for a permanent tariff commission; to the Committee on Ways and Means.

By Mr. HAYES: Petition of citizens of San Jose, county of Santa Clara, Cal., against compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

By Mr. HENSLEY: Memorial of St. Francois County Farm Bureau, relative to standardization of agricultural products and general improvement in market conditions; to the Committee on Agriculture.

By Mr. HILL: Petition of Excelsior Lodge, Knights of Pythias, and Leeds Council, No. 16, O. U. A. M., of Stamford, Conn., favoring House bill 6915, the post-office retirement bill; to the Committee on the Post Office and Post Roads.

By Mr. HOPWOOD: Petition of 59 citizens of Somerset, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HULBERT: Petition of Cotton Goods Export Association of New York, against the Clarke amendment to the Philippine bill; to the Committee on Insular Affairs.

By Mr. LOUD: Petition of Freda Girvin and 99 other residents of Shepherd, Isabella County, Mich., protesting against the passage of House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

By Mr. MAGEE (by request): Petition of Crest Civic Club, of Syracuse, N. Y., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. MILLER of Pennsylvania: Petition of citizens of Mercer County; 40 voters of Franklin, Venango County; and 34 citizens of Mercer and Crawford Counties, all in the State of Pennsylvania, for a Christian amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, petition of 150 citizens of Ridgway, Elk County, Pa., against the bill closing barber shops on Sunday in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of 8 citizens of Emlenton, Venango County, Pa., against House bill 13408; to the Committee on the District of Columbia.

By Mr. MORIN: Petitions of Herman Gunto, Harry W. Riemer, E. J. Taylor, W. L. Johnston, William Grabowsky, C. A. Michel, James E. Graham, Max Mansbosch, Emil Weil, Frank Drabner, F. Benkiser, Alfred A. Perrott, John R. Cowan, John Breen, John Belka, Herman A. Adam, William E. Frye, John J. W. Hoffman, J. M. Mueller, R. Gross, Jacob W. Fanston, Harry Karuff, Fred Bower, William C. Faust, Rev. Charles Krenn, Jacob Die, Rev. John L. Ernst, John Wittmer, Edward Krebs, Theo. W. Janssen, Allegheny County Branch of the German-American National Alliance, Julius Hertz, G. Blatte, David G. Jackey, Enoch J. Guinto, William Janssen, Herman A. Kobe, Herman Janesen, John Schnesler, Bernard H. Janssen, all of Pittsburgh, Pa., and A. Mayer, of McKeesport,

Pa., opposed to United States becoming embroiled in European war; to the Committee on Foreign Affairs.

Also, petitions of Charles M. Chestnut, president Lumberman's Exchange of Philadelphia, Pa., and E. P. Burton Lumber Co., of Philadelphia, Pa., in favor of appropriation of \$1,000,000 toward further construction of Norfolk to Beaufort Inlet waterway; to the Committee on Rivers and Harbors.

By Mr. MOSS of West Virginia: Petition of citizens of Reedy, W. Va., favoring national prohibition; to the Committee on the Judiciary.

By Mr. PRATT: Petition of Charles P. Swingle, Arthur Swingle, Rev. H. Kaufmann, Herman Kohnken, sr., Henry Kohnken, Christian Kohnken, Herman Kohnken, jr., Gerhard Danz, Jacob G. New, Melchier Zeh, Rev. J. Flierl, George Zeh, Martin Link, Christian Link, Andrew Link, Adam Sourber Henry Zeh, Louis Bartz, Charles Bartz, Henry Shoullice, Louis Shoullice, John Beechner, William Drum, Philip Tanz, Lorenz Tanz, John Zeh, Edwin New, Theobald Newfang, Charles Rex, Henry Rowe, Fred Rowe, Philip Drum, W. H. Foults, Arthur Drum, Charles Drum, George W. Beechner, Henry Paul, William Wittig, John Strobel, Frank Strobel, Walter Strobel, Edwin Strobel, Christian Strobel, William Strobel, Christian Elchhorn, William Conrad, Christian Miller, Harry Schwingel, Mark Schwingel, John Schwingel, Robert Schwingel, Jacob Pritting, George F. Wagner, John Link, Edward Drum, Henry Sick, William Fleischman, Philip Folts, all of Cohocton, Steuben County, N. Y., favoring peace; to the Committee on Foreign Affairs.

Also, petition of John W. Fedder, W. E. Howell, Hiram Carlton, Irving Bronson, John McGannon, Frank Gottfrand, Jacob Aker, Charles Gregorius, John Fahey, W. J. Woods, Sam Kelce, J. Shaffer, Bert Sebring, John H. Herr, and Edwin C. Gay, of Corning and Painted Post, N. Y., favoring peace; to the Committee on Foreign Affairs.

By Mr. RAINEY: Protest of Mrs. M. A. Cory and others of Kane, Ill., against juvenile-court bill; to the Committee on the District of Columbia.

By Mr. RANDALL: Petition of First Methodist Episcopal Church of Alhambra, Baldwin Park, and Los Angeles, Cal., favoring national prohibition; to the Committee on the Judiciary.

By Mr. ROWE: Petition of Carl Reinschild, of New York City, against bill for numbers on motor boats; to the Committee on the Merchant Marine and Fisheries.

Also, petition of F. C. Barton, favoring the Rainey bill (H. R. 13767); to the Committee on Ways and Means.

Also, petition of New York State Millers' Association, favoring the grain grades bill; to the Committee on Agriculture.

Also, petition of sundry citizens of New York, favoring the Stevens standard-price bill; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Idaho: Memorial of Wendell (Idaho) Grange, No. 82, Patrons of Husbandry, favoring national prohibition; to the Committee on the Judiciary.

By Mr. STAFFORD: Petition of sundry citizens of Milwaukee, Wis., against United States in European war; to the Committee on Foreign Affairs.

By Mr. STINESS: Papers to accompany House bill 15088, granting an increase of pension to Lucy A. Cornell; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Arkansas (by request): Petition of Theo. Muense, F. H. Spilker, and others, of Stuttgart, Ark., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

SENATE.

FRIDAY, April 28, 1916.

(Legislative day of Thursday, April 27, 1916.)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	du Pont	Kenyon	Owen
Beckham	Gallinger	Kern	Page
Brady	Gronna	La Follette	Pittman
Broussard	Hardwick	Lane	Pomerene
Burleigh	Hitchcock	McCumber	Ransdell
Chamberlain	Hollis	McLean	Saulsbury
Clark, Wyo.	Hughes	Martine, N. J.	Shafer
Clarke, Ark.	Husting	Myers	Sheppard
Cole	James	Nelson	Sherman
Culberson	Johnson, Me.	Norris	Smith, Ga.
Dillingham	Jones	Overman	Smith, Mo.